



United States Department of State

# United States Participation in the UN

Report by the President  
to the Congress  
for the year 1984







United States Department of State

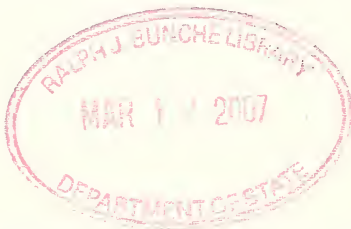
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DEPARTMENT OF STATE PUBLICATION 9460

Bureau of International Organization Affairs

*Released December 1985*



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For sale by the Superintendent of Documents, U.S. Government Printing Office,  
Washington, D.C. 20402



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## Acronyms and Short Forms

AID	U.S. Agency for International Development
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
Committee of 24	Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CD	Committee on Disarmament
CIEC	Conference on International Economic Cooperation
CPC	Committee for Program and Coordination
CSCE	Conference on Security and Cooperation in Europe
EC	European Communities
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	Economic and Social Council
ECWA	Economic Commission for Western Asia
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization
GATT	General Agreement on Tariffs and Trade
G-77	The Group of 77
HHS	U.S. Department of Health and Human Services
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICSC	International Civil Service Commission
IDA	International Development Association
IFC	International Finance Corporation
ILO	International Labor Organization
IMCO	Intergovernmental Maritime Consultative Organization
IMF	International Monetary Fund
INF	Intermediate-range Nuclear Forces
ITU	International Telecommunication Union
LDC's	Less-Developed Countries
MFN	Most-Favored Nation

NASA	U.S. National Aeronautics and Space Administration
NATO	North Atlantic Treaty Organization
NGO's	Nongovernmental Organizations
NIEO	New International Economic Order
OAS	Organization of American States
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development
OPEC	Organization of Petroleum Exporting Countries
PLO	Palestine Liberation Organization
SWAPO	South West Africa People's Organization
UNCITRAL	UN Commission of International Trade Law
UNCTAD	UN Conference on Trade and Development
UNDC	UN Disarmament Commission
UNDOF	UN Disengagement Observer Force
UNDP	UN Development Program
UNDRO	UN Disaster Relief Office
UNEF	UN Emergency Force
UNEP	UN Environment Program
UNESCO	UN Educational, Scientific, and Cultural Organization
UNFICYP	UN Force in Cyprus
UNHCR	Office of the UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDO	UN Industrial Development Organization
UNIFIL	UN Interim Force in Lebanon
UNITAR	UN Institute for Training and Research
UNRWA	UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	UN Scientific Committee on the Effects of Atomic Radiation
UNTAG	UN Transition Assistance Group
UNV	UN Volunteers
UPU	Universal Postal Union
WDC	World Disarmament Campaign
WFP	World Food Program
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

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## Part I

# Political and Security Affairs

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Since the United Nations was founded in 1945, its main purpose has been the promotion of international peace and security. This remains the centerpiece of the UN system.

## SECURITY COUNCIL

The Charter gives the Security Council and the General Assembly authority to consider threats to the peace. Primary responsibility for maintaining international peace and security rests with the Security Council. The Charter authorizes the Council to act to achieve peaceful settlement of disputes (Chapter VI), and to deal with threats to the peace, breaches of the peace, and acts of aggression (Chapter VII). The Council can only make recommendations for actions on matters raised under Chapter VI. In areas covered by Chapter VII, however, it may take decisions—including imposition of collective political, economic, and military sanctions—which, in theory at least, are binding on all member states.

The 15-member Council functions continuously, meeting as necessary. The Charter gives a special role to the five Permanent Members—China, France, the U.S.S.R., the United Kingdom, and the United States. A negative vote by a Permanent Member constitutes a veto of any substantive Council action, in the event that such action (usually a draft resolution) receives at least nine positive votes. Council decisions on procedural matters require nine or more positive votes for adoption. They are not vetoable, but in these cases the Council usually operates by consensus.

The other 10 Council members are elected by the General Assembly; by tradition, they represent regional blocs. These 10 members serve overlapping 2-year terms; 5 members are elected each year. The five members for the 1984–1985 term are: Burkina Faso, Egypt, India, Peru, and the Ukrainian S.S.R.; for the 1985–1986 term: Australia, Denmark, Madagascar, Thailand, and Trinidad and Tobago.



The Council has created several UN peacekeeping and peace-monitoring operations to help carry out its responsibilities. Five such units existed in 1984: the UN Force in Cyprus (UNFICYP); the UN Disengagement Observer Force (UNDOF) in the Golan Heights between Israel and Syria; the UN Interim Force in Lebanon (UNIFIL), stationed in southern Lebanon; the UN Truce Supervision Organization (UNTSO), located in Israel and other Mideast countries; and the UN Military Observer Group in India and Pakistan (UNMOGIP). These operations were launched and deployed with the consent of the Council and the governments directly concerned; that consent remains the basis for their existence. In 1978 the Council also authorized creation of a UN Transition Assistance Group (UNTAG) to help the Special Representative of the Secretary General ensure the early independence of Namibia through free and fair elections. Though composition of UNTAG has been agreed upon, its formation awaits final agreement on a Namibia settlement in accordance with Security Council resolution 435 (1978).

The Security Council held 57 meetings in 1984, compared to 98 in 1983. Most of these meetings concerned Africa (southern Africa and Libya/Sudan), the Middle East, Nicaragua, and Cyprus. The Council passed 14 resolutions (1983 total: 17) with roughly the same focus; 7 were adopted unanimously. The United States voted for 10 of these resolutions and abstained on 4. In terms of peacekeeping forces, the Council passed resolutions which renewed UNIFIL twice (April 19, October 12), UNDOF twice (May 30, November 28), and UNFICYP twice (June 15, December 14). The United States supported all extensions of these mandates. Neither UNTSO nor UNMOGIP requires periodic renewal by the Council.

Three vetoes were cast in the Council in 1984. The United States vetoed a draft Nicaraguan resolution condemning U.S. policy in Central America on April 4, and a draft Lebanese resolution focusing only on problems in southern Lebanon on September 6. The U.S.S.R. vetoed a draft French resolution on Lebanon on February 29.

The Council held 15 meetings on African issues, 10 involving complaints against South Africa and 5 involving the Sudanese complaint against Libya and the Libyan countercomplaint against the United States. The meetings on South Africa produced five resolutions, on three of which the United States abstained.

The Council held 18 meetings on Mideast issues, 11 on Lebanon and 7 on the Gulf War between Iran and Iraq. These meetings led to passage of a resolution on the Gulf War and two vetoes (U.S., U.S.S.R.) of draft resolutions on Lebanon. A complaint of the Government of Cyprus against Turkish and Turkish Cypriot actions in the northern part of the island was discussed at 10 meetings; resulting in a resolution on which the United States abstained. Five meetings were

held to consider Nicaraguan complaints against the United States; one of these led to the U.S. veto.

Other Council meetings in 1984 concerned the recommendation to admit Brunei Darussalam to membership in the United Nations; a complaint by Laos against Thailand concerning a border dispute; and the election of five new judges to the International Court of Justice. The Council recommendation on Brunei Darussalam, resolution 548 (1984), was approved by the 39th General Assembly. On September 21, 1984 Brunei Darussalam became the 159th member of the United Nations.

## GENERAL ASSEMBLY

Except for the anomalous situation of the Delegation of South Africa, whose credentials have not been accepted since 1970, all UN member states are currently represented in the General Assembly. The Assembly meets annually from mid-September to late December. After 3 weeks of general debate, the work of the Assembly takes place in the seven main committees and in plenary. Political issues are handled in several forums: arms control and disarmament in the First Committee; broad political issues in the Special Political Committee and the plenary; human rights in the Third Committee; and dependent territories and decolonization questions in the Fourth Committee.

The Assembly has subordinate bodies, sometimes with limited membership, which meet periodically between sessions and report to the plenary. Their reports form the foundation of much General Assembly work. These subordinate bodies include the Committee on the Peaceful Uses of Outer Space (COPUOS), the *Ad Hoc* Committee on the Indian Ocean as a Zone of Peace (AHC/IOZP), the Committee of 24, and the Council for Namibia.

The 38th General Assembly was suspended on December 20, 1983 and formally closed on September 17, 1984.

The 39th General Assembly convened on September 17, 1984 and was suspended on December 18, 1984. President Reagan addressed the plenary on September 24, the second year in a row that he has spoken to the fall session of the General Assembly. A more moderate tone marked many debates in the 39th session, which passed 186 resolutions by consensus and 149 resolutions by vote. The total number of resolutions passed rose to 335, up 8.4% from the 309 resolutions passed by the 38th General Assembly.

A major goal of the United States at the 39th General Assembly was to combat the practice of name-calling: i.e., gratuitous slurs on the United States in Assembly resolutions. Through parliamentary

maneuvers and lobbying, the United States was able to defeat some texts and induce sponsors to withdraw others. In the Fourth Committee and the plenary Assembly, of the 23 key votes related to name-calling language, the United States succeeded in having 9 such critical references deleted.

Middle Eastern and southern African issues again dominated the political agenda of the 39th General Assembly. The United States supported plenary decisions to reject by a record margin the challenge to Israeli credentials; reaffirm strong resolutions on Afghanistan and Kampuchea (Cambodia); and adopt consensus language on the economic crisis and famine in Africa. There was no plenary discussion of Puerto Rico or Micronesia. The complex of disarmament resolutions was mixed, but the United States was pleased with passage of its resolution on chemical weapons use. The plenary adopted by consensus noncontroversial resolutions on Central America and Antarctica.

On the Middle East, the Assembly adopted by large margins 11 resolutions: 3 on the general subject of the situation in the region; 4 on the question of Palestine; 8 on Israeli practices in the occupied territories; and 1 each on the 1981 Israeli raid on the Iraqi reactor, the proposed Israeli project to build a canal between the Mediterranean Sea and the Dead Sea, and cooperation between the UN and Arab League. The United States voted against or abstained on all these resolutions, chiefly because their lack of balance and their strident tone did not promote the quest for a just and lasting peace in the region.

The Assembly also adopted 11 resolutions on UNRWA, the UN relief operation for Palestinian refugees in the Middle East. The United States cosponsored and voted for one of these texts, which expressed concern for the continued plight of the Palestinian refugees and called for increased contributions to UNRWA and the return of UNRWA Headquarters from Vienna to the Mideast as soon as practicable. The United States abstained or voted "no" on the other 10 UNRWA resolutions.

The Assembly adopted 13 resolutions on southern Africa, 8 under the item, "Policies of Apartheid of the Government of South Africa." While restating firm opposition to apartheid in any form, the United States abstained on or voted against seven of these resolutions because of their confrontational, extreme tone. It joined consensus approval on the eighth resolution. In line with its standard practice as a member of the Contact Group, the United States abstained on the five resolutions involving Namibia.

On items concerning Kampuchea and Afghanistan, the United States joined record General Assembly majorities in adopting resolutions seeking to end Vietnam's occupation of Cambodia and the



Soviet Union's occupation of Afghanistan. In 1984 there was no challenge to the credentials of Democratic Kampuchea.

In the Fourth Committee, the United States achieved its objectives of blocking any General Assembly initiatives on Puerto Rico or Micronesia. The Committee approved non-contentious resolutions on American Samoa, the U.S. Virgin Islands, and Guam. The Committee also approved, and the plenary adopted, an Algerian text on the Western Sahara. The United States abstained on this text in committee and plenary.

Arms control and disarmament remained the single largest area of activity in the 39th General Assembly. The First Committee handled most of this work, examining a record 71 resolutions, all of which were adopted in plenary. Three draft decisions were also adopted on First Committee reports, two without a vote. The United States participated actively in these deliberations, mobilizing support for its initiative on chemical weapons use.

The United States was pleased that the Assembly restored the principle of consensus to the work of the *Ad Hoc* Committee on the Indian Ocean as a Zone of Peace, which comes under the First Committee, and the Committee on the Peaceful Uses of Outer Space, which comes under the Special Political Committee.

The 39th General Assembly did not take up several agenda items in its fall session: e.g., the Iran-Iraq conflict, Cyprus, observance of the 500th anniversary of the discovery of America, implementation of UN resolutions, and global negotiations.

The 39th General Assembly resumed April 9-12, 1985 and adopted seven decisions and four resolutions. The latter concerned the UN Conference on Conditions for Registration of Ships, Guidelines for Consumer Protection, scale of assessments for new members, and the International Research and Training Institute for the Advancement of Women.

## **PEACEFUL SETTLEMENT**

### **Middle East**

#### **SECURITY COUNCIL CONSIDERATION**

##### **Situation in the Occupied Territories**

The Security Council had only one occasion in 1984 to deal with the territories occupied by Israel since 1967. On January 2, the Israeli Knesset supplemented regulations for the occupied territories to make certain domestic Israeli laws applicable to Israelis in the West Bank and Gaza and at the same time took up consideration of a bill that

would require Israelis involved in land transactions in these territories to pay a tax, as in Israel proper. These actions involved complex legal and political issues, with implications that were not immediately clear. They quickly aroused Arab concern. It was not long before the Security Council became involved.

The Egyptian Ambassador in New York transmitted to the Council's President (Nicaragua)<sup>1</sup> on January 5 a protest from the Palestine Liberation Organization calling the measures illegal and "one more step in the process of creeping annexation and discrimination against Palestinian people." The Egyptian Ambassador transmitted another protest to the President of the Security Council on January 6, this one from the Egyptian Deputy Prime Minister and Minister of Foreign Affairs, Kamal Hassan Ali, who was convinced that the Knesset actions were contrary to international law and "a serious violation of Security Council resolution 242 (1967) as well as of the framework of peace in the Middle East signed in September 1978." The Senegalese Ambassador in New York, in his capacity as head of the General Assembly's Committee on the Exercise of the Inalienable Rights of the Palestinian People, expressed "deep distress" at the Knesset's activities in a letter dated January 9.

The Israeli Ambassador in New York sent a letter to the President of the Security Council on January 11 responding to the criticisms of Kamal Hassan Ali. The Israeli letter stressed the view that the Knesset had acted "in conformity with the recognized principle of international law—well known to virtually all legal systems around the world—that a state has the right to apply its laws to its nationals in respect of acts committed by them also beyond the limits of its territorial jurisdiction." Thus, the letter continued, "the regulations in question do not in any manner affect the existing local legislation."

Although the members of the Security Council were uncertain as to how to interpret the Knesset measures, a number of members believed the Council should take some action. After consultations, consensus was reached January 26 on a brief statement by the President of the Council. It made the following points: it noted that concern had been expressed to the President of the Council about the Knesset action in the two letters from the Egyptian Ambassador and the letter from the Ambassador of Senegal; it noted the subsequent letter from the Israeli Ambassador; and it recalled previous Security Council resolutions stressing the applicability of the Fourth Geneva Convention to this general topic, and it urged that "no steps be taken which could lead to further aggravation of tension in the area."

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<sup>1</sup>The Presidency of the Security Council is held in turn by members of the Council in English alphabetical order of country names. Each President holds office for 1 month. Nicaragua held the Presidency in January 1984.

## Lebanon

The Security Council convened on three separate occasions in 1984 to consider problems arising in Lebanon. A total of 10 formal meetings were required to cover these matters. However, the Council adopted no concrete measures in these sessions. In one case a draft resolution was vetoed by the Soviet Union; the second episode ended inconclusively after a 3-hour debate; in another instance, the United States vetoed a draft resolution.

**Beirut, February.** France on February 14 sent a letter to the President of the Security Council requesting an urgent meeting of the Council to discuss the situation in Beirut. Violence had continued in and around that city, and the peacekeeping efforts of the American, British, French, and Italian troops in the Multinational Force (MNF) had become increasingly difficult. The MNF had, in fact, begun to move away from its established positions in the Beirut area. The United States on February 7 had announced the redeployment of its contingent to U.S. ships offshore.

The Council met four times in formal sessions from February 15-29. The French Representative outlined the reasoning behind his appeal for Security Council consideration of this matter in a speech to the Council at the first of these meetings on February 15. He recalled that resolution 521 (1982) adopted by the Council in September of that year had suggested the creation of a UN Force for Beirut. However, he noted, the situation was then too urgent for the lengthy negotiations needed to establish such a force, and so France had responded positively to the request of the Lebanese Government for a multinational force outside the UN framework. That was the origin of the MNF, which still functioned, with great valor but mounting difficulty. The French representative continued: "As matters now stand, recourse to an international force to replace the Multinational Force has become a necessary step towards easing tension." He believed a UN force was needed.

Ambassador Jeane J. Kirkpatrick endorsed the French concept in the next Council meeting on February 16. She said that the United States had consistently supported a United Nations peacekeeping role in Lebanon. She reaffirmed that "a United Nations presence would be useful throughout Lebanon, particularly for such purposes as protecting Palestinian refugee camps and reinforcing ceasefires."

Ambassador Kirkpatrick spoke again in the final Council meeting on February 29, firmly supporting the French initiative and stressing that the United States had long understood that international cooperation would be needed to restore peace and sovereignty to Lebanon. "To that end," she said, "the United States has encouraged and participated in international efforts to reinforce peace and self-



government in Lebanon." The United States had done this both in the United Nations and outside it, she noted.

The Council's final meeting of February 29 had before it a draft resolution in a form, after revisions, that was ready for a vote. France had been the chief drafter and negotiator of this text. The preambular provisions, among other things, noted "the determination of Lebanon to secure the withdrawal of all non-Lebanese forces from Lebanon" and expressed grave concern for the situations in Lebanon and especially in Beirut. The operative paragraphs appealed urgently for a cessation of hostilities throughout Lebanon and asked the Secretary General to make arrangements enabling the UN observers already in Beirut to monitor this ceasefire in the Beirut area. A further, lengthy operative paragraph decided to constitute immediately, with Lebanese agreement, "a United Nations force composed of personnel furnished by Member States other than the permanent members of the Security Council and selected, if appropriate, from contingents of the United Nations Interim Force in Lebanon." This force would position itself in the Beirut area, in coordination with Lebanese authorities, "as soon as all elements of the Multinational Force have withdrawn from Lebanese territory and territorial waters." Its mission would be to monitor the ceasefire and help protect the civilian populations, including the Palestinian refugee camps. Accomplishing these tasks would "assist in re-establishing the peace necessary for the restoration of the territorial integrity, unity, sovereignty and independence of Lebanon." The force was to perform its role "without intervening in the internal affairs of Lebanon for the benefit of any party whatever." A separate operative paragraph asked other states to refrain from intervening in Lebanese internal affairs and to avoid "any action, in particular military action, that might jeopardize the re-establishment of peace and security in Lebanon." These states were also asked to facilitate the efforts of the UN force.

The Council voted on this text on February 29. The result was 13 (U.S.) to 2 (U.S.S.R., Ukraine), with no abstentions. It thus failed to pass because of a Soviet veto. Moscow's stated rationale for this position, as given by the Soviet representatives shortly before the voting on February 29, was that certain "necessary conditions" for a UN force were not established, among them the withdrawal of foreign naval vessels from off Lebanon and a prohibition on air strikes, artillery fire, and other forms of "interference" in Lebanon by MNF units.

Immediately after the voting, the Secretary General made a statement urging the Council "to continue to consider the situation in Lebanon with the closest attention" so that before very long "ways will be found for the United Nations to expand its role in Lebanon, not only for the benefit of Lebanon itself, but also for the cause of international peace and security."

**Ein El Hilweh Refugee Camp, May.** In his capacity as head of the Arab Group for May, the Kuwaiti Ambassador in New York on May 17 requested an urgent meeting of the Security Council to consider "the most recent act of aggression committed by Israel against the refugee camp of Palestinians at Ein El Hilweh in south Lebanon." The event he referred to was an extensive search of this camp, near Sidon, carried out by Israeli troops on the night of May 15-16, during which some houses in the camp were damaged or demolished and some arrests made. In a chain of confused circumstances during and following the search, some people were injured and at least one person was killed.

After holding a consultative meeting on May 18, the Council met formally for about 3 hours on May 21 to consider this topic. The discussion featured heated exchanges between the Israeli representative and several Arab spokesmen in a debate that ranged far beyond the Ein El Hilweh incident. To the extent the debate dealt with what happened at Ein El Hilweh, the facts and their interpretation in the Israeli account differed widely from the descriptions given by the Arabs and their associated speakers. The United States and other Western members of the Council did not take part in this discussion. At the conclusion of the May 21 meeting, the Council President (U.S.S.R.) said that the Council would convene again on May 23 to continue the discussion. However, no further sessions were held on this topic, which ended without any concrete action being taken by the Council.

**Southern Lebanon, August-September.** Reacting to what it considered unacceptable practices by the Israeli occupation authorities in southern Lebanon, the Lebanese Government on August 24 requested an urgent meeting of the Security Council. The Council convened formally August 29 to take up this subject. Four additional formal meetings were held, ending September 6 when a Lebanese draft resolution was voted upon. The draft failed to pass because of a veto by the United States.

The Lebanese Representative presented his case to the Council as the first speaker at the August 29 session. He alleged that normal life in southern Lebanon had been severely disrupted by Israeli actions prohibited by international law. In particular, he complained of Israeli measures which, as he pictured it, unjustifiably isolated the occupied south from the rest of Lebanon. He also voiced suspicion that Israel was diverting some water in southern Lebanon for Israeli use.

These charges were rebutted in the same session by the Israeli Representative, who spoke immediately after the Lebanese. First, the Israeli Representative claimed that conditions in the part of Lebanon under Israeli control were far more peaceful and humane than elsewhere in the country. Then he countered what he termed the

"most blatant" of the "falsehoods" about the Israeli occupation mentioned in the Lebanese speech. In doing so, he presented a picture of great concern and care for the local population in whatever measures the Israeli authorities undertook. He denied the charge of water diversion.

The ensuing debate prior to the September 6 vote witnessed more than two dozen speeches by representatives of other countries. All of the speakers favored the Lebanese side, but to varying degrees. The United States did not participate in this discussion.

Lebanon presented its draft resolution on September 6. This text, after "noting with great concern the deterioration of the situation in the areas occupied by Israel," affirmed that the Fourth Geneva Convention applied to Israel's occupation zone in Lebanon and called on Israel to "respect and uphold" the Convention as well as other norms of international law. It then demanded that Israel "immediately lift all restrictions and obstacles to the restoration of normal conditions in the areas under its occupation in violation of the Fourth Geneva Convention," citing particularly what it termed the closing of roads, the obstruction of normal Lebanese government conduct, and limitations on the "freedom of movement of individuals" and on the "normal flow of persons and goods" with the rest of Lebanon. The draft received 14 votes in favor and 1 (U.S.) vote opposed. There were no abstentions. The U.S. vote constituted a veto.

The U.S. Representative, Warren Clark, explained the U.S. veto immediately after the vote. He said that nobody wished more for an end to Lebanon's violence and suffering and for the restoration of peace in that country than the people of the United States. Unfortunately, the draft resolution just voted upon "would not have advanced that goal." He affirmed that Israel, as the occupying military power in southern Lebanon, had to meet the requirements of both the Fourth Geneva Convention of 1949 and the Hague Protocols of 1907. Israel appeared to be aware of the need to live up to these standards, he said.

Mr. Clark noted that the draft resolution did not mention the discord elsewhere in Lebanon or the need for evacuating all foreign forces. Israel had repeatedly expressed its desire to leave Lebanon. "We believe it is unreasonable and unrealistic," Mr. Clark declared, "for this Council to address the question of foreign forces in south Lebanon and the humanitarian or security problems there without dealing with these same problems in all of Lebanon." The United States could not support a draft resolution taking a "selective, myopic look at only one part of the problem."



## UNIFIL

The attention of the Security Council was drawn to the peacekeeping functions of the United Nations Interim Force in Lebanon (UNIFIL) on two occasions in 1984, in each case because the UNIFIL mandate then in force would soon run out. The Council decided both times to extend the mandate for a further 6 months.

**UNIFIL Renewal, April.** With UNIFIL's mandate expiring April 19, the Security Council met in the evening of that day to vote on a draft resolution extending the existing mandate for 6 months, i.e., until October 19. The wording of the draft had been the subject of extensive consultations, revolving in part around the Secretary General's latest report to the Council on UNIFIL, which contained some suggestions for a future "more effective" mandate.

The language emerging from these consultations resembled that of the immediately previous renewal resolution for UNIFIL adopted in October 1983—resolution 538—but there were some differences. A preambular provision stated that the Council's renewal action responded to a request of the Lebanese Government, as had the earlier text. A provision reiterating the Council's support for Lebanese sovereignty and territorial integrity, a preambular provision in the previous renewal resolution, was moved to the operative section. Other operative paragraphs, in addition to extending the mandate, stressed the Council's support for UNIFIL's mandate as defined particularly in the 1978 resolutions establishing the Force. The October 1983 renewal had done the same, but at less length. The operative section also called on all parties to cooperate with UNIFIL "for the full implementation of its mandate," wording repeated from the preceding renewal resolution. The final operative provision asked the Secretary General "to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of this resolution." This language was not in the October 1983 renewal, but similar language had been used a year before that asking the Secretary General to consult on the full implementation of UNIFIL's mandate.

The Council on April 19 approved this text by a vote of 13 (U.S.) to 0, with 2 (U.S.S.R., Ukraine) abstentions. (Resolution 549 (1984).) The two abstentions followed the pattern of Soviet Bloc voting in previous UNIFIL renewals. The Soviet Representative, speaking to the Council after the vote, confirmed that his government would continue its refusal to participate in defraying the expenses of UNIFIL.

Warren Clark, the U.S. Representative, delivered a short speech to the Council after the vote stating that, as all members of the Council had agreed, the resolution just adopted did not go beyond the Octo-

ber 1983 renewal resolution for UNIFIL but merely extended it. "It is with this understanding," Mr. Clark declared, "that the United States voted in favor of this resolution." The United States had held in the consultations preceding this renewal that the resolution should be a simple renewal of the mandate.

**UNIFIL Renewal, October.** Again facing the expiration of UNIFIL's mandate in October, the Security Council met on October 12 to consider a draft renewal resolution. The text of this draft was virtually identical to Resolution 549 that had extended UNIFIL 6 months earlier. (See above.) It again was designed to renew the existing mandate for 6 months, i.e., in this case, until April 19, 1985.

The Security Council approved this draft on October 12 by a vote of 13 (U.S.) to 0, with 2 (U.S.S.R., Ukraine) abstentions. (Resolution 555 (1984).) This was the same voting pattern as that of previous UNIFIL renewals, with no country voting against the renewal and the Soviet Bloc Representatives abstaining.

The half-hour session on October 12 produced relatively little discussion. Several speakers spoke of their hope for a more effective UNIFIL role. Ambassador Richard Schifter of the United States gave a brief statement expressing the hope that this extension of UNIFIL's mandate would "contribute to the cause of peace and stability."

## **UNDOF**

Continuing the routine procedure of previous years, the Security Council renewed the mandate of the United Nations Disengagement Observer Force (UNDOF) without debate on the two occasions that the issue came up in 1984. This peacekeeping force operates on the Golan Heights between Israeli and Syrian forces.

**UNDOF Renewal, May.** The Security Council met May 30 to consider the UNDOF mandate, which was due to expire the next day. The Council unanimously adopted resolution 551 (1984) extending the mandate until November 30, a further 6 months. The resolution was identical in form and language to the UNDOF resolutions of recent years, including its call on the parties "to implement immediately Security Council resolution 338 (1973) of 22 October 1973." Also identical to past practice was a statement delivered just after the vote by the President of the Council, which endorsed a comment in the Secretary General's latest UNDOF report—a comment regularly included in these reports—calling the situation in the Middle East "potentially dangerous," despite the calm in the Israeli-Syrian sector, as long as a comprehensive Middle East settlement is not reached.

**UNDOF Renewal, November.** Meeting on November 28, 2 days before the UNDOF mandate would again expire, the Security Council followed exactly the same procedure as before (see above) to renew the



mandate for another 6 months, i.e., until May 31, 1985. The text of the resolution did not differ except for updating references from earlier UNDOF renewal resolutions, and the vote again was unanimous. (Resolution 557 (1984).) The President of the Council delivered his usual statement in identical language as before, referring to a passage in the Secretary General's latest report on UNDOF that was also the same as before.

## **GENERAL ASSEMBLY CONSIDERATION**

### **Israeli Credentials**

The Credentials Committee of the 39th General Assembly issued its first report on October 12. The report indicated that 127 states, including Israel, had submitted credentials in due form. The Committee accepted the credentials of all these delegations and recommended that the Assembly do the same.

On October 16, the representatives of 48 countries, mostly Islamic or Soviet Bloc, signed a letter to the President of the Assembly expressing reservations about the credentials of the Israeli Delegation. The letter declared that Israel had persistently violated the UN Charter. The letter did not, however, explicitly challenge Israel's credentials or its right to sit in the Assembly. The Representatives of four other countries later added their names to the document. The Representative of Israel responded on October 17 in a letter to the President of the Assembly emphasizing that Israel's credentials were in due form and had been accepted by the Credentials Committee.

The first report of the Credentials Committee came before the Assembly plenary on October 17. As it had done the previous 2 years, Iran promptly challenged Israel's credentials. The Iranian Representative proposed that the routine resolution before the floor accepting the Committee's report be amended by adding the words "except with regard to the credentials of Israel." The Danish Representative, speaking on behalf of the five Nordic countries, then moved formally under Rule 74 of the General Assembly's rules of procedure that no action be taken on the Iranian amendment. (This motion repeated Nordic actions of the previous 2 years on this issue.) Immediately put to a vote, the motion was adopted 80 (U.S) to 41, with 22 abstentions.

Having thus disposed of the Iranian challenge to Israel, the Assembly accepted the first report of the Credentials Committee without a vote.

## Situation in the Middle East

The Assembly debated the annually recurring agenda item titled "The Situation in the Middle East" in six plenary sessions between November 26 and 28, followed by a seventh plenary on December 14, at which meeting the three draft resolutions submitted under this topic were adopted. The United States voted against two of them and abstained on one.

The first draft resolution was sponsored by 28 states. It contained a mixture of vehemently worded provisions against Israel and in favor of the standard Arab position in the Arab-Israeli dispute. One operative paragraph sharply criticized "the agreements on strategic cooperation between the United States of America and Israel signed on 30 November 1981, together with the recent accords concluded in this context"; specifically, the agreements "would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region." Another operative paragraph reaffirmed the Assembly's support the previous year for the convening of an international peace conference on the Middle East under UN auspices, a proposal the United States had consistently and strongly opposed. Our diplomats lobbied extensively against this draft prior to the voting, both in New York and in the capitals of various governments. The text was adopted by a vote of 100 to 16 (U.S.), with 28 abstentions. (Resolution 39/146A.) Joining us against the resolution were a number of Western countries and Israel; the abstentions came from various regions. There were 14 countries, also from different regions, absent at the voting.

Just before the above vote, a separate ballot was taken at the request of the United States on the provision that we found most objectionable, i.e., the operative paragraph referring to the agreement between the United States and Israel. The paragraph was upheld by a vote of 69 to 39 (U.S.), with 26 abstentions. Although the paragraph was kept in the resolution by this vote, the outcome was notably unsupportive of it. The negative votes and abstentions, which included all countries of the Western group and most Latin American states, nearly equaled the affirmative votes.

The second draft resolution was introduced by 32 states which largely overlapped with the list of sponsors of the first text. Concentrating heavily but not exclusively on the situation in the Golan Heights, it contained a further set of sharply anti-Israeli provisions. Israel's actions in the Golan area were held to be both illegal and "a continuing threat to international peace and security." Two paragraphs, one preambular and the other in the operative section, reiterated the charge that Israel "is not a peace-loving Member State." Several operative paragraphs called on states and

international bodies to cease dealings with Israel. U.S. diplomats lobbied against this highly objectionable draft prior to the Assembly voting, both in New York and in a number of capitals. Nevertheless, the Assembly plenary adopted it by a vote of 88 to 22 (U.S), with 32 abstentions. (Resolution 39/146B.) On this resolution, 16 states did not participate in the voting. This was a low measure of support for a General Assembly resolution on an Arab-Israeli subject, although it was clearly enough for passage. The negative votes and abstentions came from the Western states and a spectrum of other governments representing various regions, including especially, Latin America.

The third draft resolution in this series was sponsored by 36 states, overlapping largely with the backers of the other two texts. It dealt with Jerusalem. The first operative paragraph reiterated that "Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void." The second operative paragraph deplored the transfer by some governments of their diplomatic missions to Jerusalem. This measure was adopted by 138 votes to 1, with 7 (U.S.) abstentions. (Resolution 39/146C.) The lone negative vote was cast by Israel. Several Latin American and African states abstained along with the United States. At this time, 12 states were absent from the voting.

Ambassador Kirkpatrick, speaking before the vote on December 14, noted that 3 days earlier she had explained the U.S. votes against the resolutions submitted under the "Questions of Palestine" agenda item. (See discussion of this topic below.) At that time she had pointed out how inconsistent it was to accuse a state of not being peace-loving and then urge that state to take part in an international conference searching for peace "as though that country, already branded as a non-peace-loving state, might expect fair play from such a conference." She also had pointed out that one of the "Question of Palestine" resolutions made an objectionable reference to U.S. policy. Once again, in the set of resolutions to be voted on this day, there was a provision interfering in the decisionmaking process of the United States. Thus, the United States had requested a separate vote on this provision, the operative paragraph criticizing the agreement between the United States and Israel.

Continuing, Ambassador Kirkpatrick criticized the overall tone of the draft resolutions to be voted on, noting that they spoke repeatedly of "aggression," of "threats to international peace and security," and so forth. They used verbs such as "condemn," "reject," and "deplore." All the people of the Middle East want peace, the Ambassador said, and they deserve a more constructive approach from the General Assembly than the "negative finger-pointing" seen in these texts. For its part, the United States will not be distracted in its efforts to bring peace between Israel and its neighbors.



After Ambassador Kirkpatrick's statement and just before any of the voting took place on the resolutions, the plenary Assembly was enlivened by a procedural dispute initiated by the United States over the rules to be followed in the voting. The U.S. Delegation pointed out that Article 18 (2) of the UN Charter requires that General Assembly decisions on "important questions" be made by a two-thirds majority of those present and voting, and that such questions shall include "recommendations with respect to the maintenance of international peace and security." Since two of the three draft resolutions before the floor (the sole exception being the text on Jerusalem) dwelt heavily on the issue of peace and security, we believed that clearly they must be adopted by a two-thirds majority.

Our presentation of this view prompted the immediate and sustained opposition of the Arab delegations. After a lengthy wrangle ranging over several aspects of the procedural issue, during which the UN Legal Counsel supported the U.S. position, a vote was held on a motion presented by the United States. Even the wording of the motion was the subject of controversy, but agreement was won on the U.S. version, declaring that the two draft resolutions in question "constitute recommendations with respect to the maintenance of international peace and security" within the meaning of that phrase as it appears in Article 18, paragraph 2, of the Charter of the United Nations and as affirmed by the Legal Counsel." This motion garnered 28 votes in favor, against 69 opposed, with 23 abstentions. It thus failed to pass, and the subsequent voting on all measures under this agenda item followed the rule of simple majority. Voting with the United States on the procedural motion were Israel, most Western Group countries, some Latin American states, and a few from other regions. The abstentions included many Latin American delegations.

At the end of the day's session, the Israeli delegation took the floor to declare: "The vote of the General Assembly on the motion regarding Article 18 (2) of the Charter has decreed that the issue at hand, the situation in the Middle East, with all the attendant resolutions condemning my country, is not—I repeat: is not—an important issue. My government will in the future take this into account." It is noteworthy that the separate vote described above on the paragraph referring to the agreement between the United States and Israel would not have passed under a two-thirds rule.

### **Question of Palestine**

In six plenary meetings between December 6 and 11, the General Assembly considered the agenda item titled "Question of Palestine," a topic carried over from previous years. This discussion led to the passage of four resolutions, all of them over negative votes by the United States, and all adopted by recorded votes on December 11.

The first resolution, sponsored by 17 states, mainly of the Third World, endorsed the efforts of the General Assembly's Committee on the Exercise of the Inalienable Rights of the Palestinian People, a body that the United States has consistently opposed as serving the partisan political aims of the Palestine Liberation Organization. The resolution was adopted by a vote of 127 to 2 (U.S.), with 21 abstentions. (Resolution 39/49A.)

The same 17 states introduced the second resolution in this series, which dealt mainly with the Secretariat's Division for Palestinian Rights, another body opposed by the United States on grounds of partisanship favoring the Palestine Liberation Organization. This text, expressing appreciation and support for the Division's work, was adopted by a vote of 130 to 3 (U.S.), with 17 abstentions. (Resolution 39/49B.)

The third text was sponsored by the same group of 17 states. It mandated the Secretariat's Department of Public Information to cooperate with the Committee on the Exercise of the Inalienable Rights of the Palestine People in various publicity activities relating to Palestine, including the issuance of material "on Israel's violation of the human rights of the Arab inhabitants of the occupied territories." This resolution was adopted by a vote of 131 to 3 (U.S.), with 15 abstentions. (Resolution 39/49C.)

The final resolution in this series was introduced by 18 states. Cyprus and Egypt, which had cosponsored the other three drafts, were not sponsors of this one. The resolution dealt exclusively with the proposal to convene an international peace conference on the Middle East under United Nations auspices. It endorsed the proposal and, in a virtually unveiled reference to Israel and the United States, regretted "the negative response of the two Governments" to the Secretary General's earlier queries about the conference plan. The United States lobbied against this text in New York and in the capitals of various governments. The resolution, nevertheless, was adopted by a vote of 121 to 3 (U.S.), with 23 abstentions. (Resolution 39/49D.)

The last of the above resolutions, immediately before it was adopted, underwent separate votes on two of its operative paragraphs. The result of these ballots was to retain both paragraphs in the text when the vote was taken on this whole resolution. The first separate vote concerned the paragraph that endorsed the convening of an international conference. The paragraph was upheld by a vote of 120 to 4 (U.S.), with 22 abstentions. The second vote dealt with the paragraph referring to "the negative response" of Israel and the United States. It too was upheld, but only by 96 votes to 18 (U.S.), with 29 abstentions. West European governments were prominent among those joining us in voting against this paragraph, aimed

specifically against our policy, whereas these states generally abstained in all the other votes taken under this agenda item.

After the voting concluded on all these resolutions, Ambassador Kirkpatrick explained the U.S. position. She said the resolutions adopted were "unbalanced, unfair, and unpromising." Stressing that the United States had great sympathy for the people of Palestine, as shown by our continuing humanitarian support, she nevertheless had to regard these resolutions as an interference in the foreign policy of the United States. She went on to link the resolution concerning the international conference proposal to the draft resolution then circulating under a separate agenda item that called Israel "not a peace-loving Member State." (See the discussion of "The Situation in the Middle East" agenda item, above.) "Obviously," the Ambassador declared, "it is at best inconsistent to apply sanctions against a country and, at the same time, invite it to a conference." Good-faith negotiations could not possibly come out of such an attitude. The idea of an international conference is "fatally flawed" for several reasons, the Ambassador believed. Above all, the conference called for under this agenda item prejudices the outcome and would be an exercise in propaganda against Israel.

### **Israeli Practices in the Occupied Territories**

As in previous years, the Special Political Committee of the General Assembly was assigned the annually recurring agenda item titled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories." Debate took place in 10 meetings of the Special Political Committee between November 14 and 29. There eight draft resolutions were approved on November 29 and forwarded to the plenary Assembly with a recommendation that they be adopted. The Special Political Committee's consideration of these texts proceeded as follows:

—A draft resolution was sponsored by 25 states on the subject of Ziyad Abu Ein and other prisoners held by Israel who were not released in a prisoner exchange arranged by the International Committee of the Red Cross in 1983. The resolution demanded the immediate release of these prisoners. The draft was approved by 101 to 2 (U.S.), with 11 abstentions.

—A draft resolution on the applicability of the Fourth Geneva Convention to the territories occupied by Israel since 1967 was sponsored by 13 states. The text reaffirmed the Convention's applicability to these territories and condemned Israel's unwillingness to acknowledge its applicability. The United States requested a separate vote on the operative paragraph that merely affirmed the Conven-



tion's applicability, voting in favor of the paragraph. It was approved by a vote of 119 (U.S.) to 1 (Israel), with no abstentions. The draft as a whole was approved by a vote of 117 to 1 (Israel), with 3 (U.S.) abstentions.

—A draft resolution deploring Israeli actions "designed to change the legal status, geographical nature and demographic composition" of the occupied territories, especially Israel's settlements policy, was sponsored by the same 13 states. It was approved by the Special Political Committee by a vote of 117 to 1 (Israel), with 1 (U.S.) abstention.

—The same 13 states sponsored a draft resolution condemning a large number of alleged policies and practices of Israel in the occupied territories. Citing the Fourth Geneva Convention, the draft declared in its sixth operative paragraph "that Israel's grave breaches of that Convention are war crimes and an affront to humanity." A separate vote on the sixth operative paragraph upheld that language by 84 votes to 18 (U.S.), with 17 abstentions. Many Western states joined the United States and Israel in opposing this provision. The draft resolution as a whole was then approved 93 to 2 (U.S.), with 23 abstentions. Only Israel joined the United States in this vote; most of those who had voted against the sixth operative paragraph abstained this time.

—Again the same 13 states sponsored a draft resolution demanding that Israel rescind its 1980 measures expelling the mayors of Hebron and Nablus and the Sharia judge of Hebron. The text was approved by a vote of 121 to 1 (Israel), with 1 (U.S.) abstention.

—A draft resolution sponsored by the same 13 states dealt with the Golan Heights. Among other things, it declared that Israel's measures which "purport to alter the character and legal status of the Syrian Golan Heights are null and void and constitute a flagrant violation of international law." This draft resolution was approved in Committee by 116 votes to 1 (Israel), with 3 (U.S.) abstentions.

—Sponsored again by these 13 states, a draft resolution was introduced condemning alleged Israeli policies and practices against Palestinian students and educational institutions, including what it called "the policy of opening fire on defenseless students, causing many casualties." This text was approved by a vote of 93 to 2 (U.S.), with 26 abstentions.

—Finally, the same 13 states sponsored a text dealing with the 1980 assassination attempts against the mayors of Nablus, Ramallah, and Al Bireh. Suspects in these crimes having recently been apprehended by the Israeli authorities, the draft resolution demanded that Israel inform the Secretary General of "the results of the investigation and prosecution." This draft was approved by a vote of 121 to 2 (U.S.), with 1 abstention.

These eight draft resolutions were considered by the plenary Assembly on December 14, and were all adopted on that date. The specific votes were as follows:

—The draft resolution on Ziyad Abu Ein and other prisoners was adopted by a vote of 120 to 2 (U.S.), with 15 abstentions. (Resolution 39/95A.)

—The draft resolution on the Fourth Geneva Convention was adopted by 140 votes to 1 (Israel), with 3 (U.S.) abstentions. (Resolution 39/95B.) Immediately before this vote, the United States repeated the request it had made in the Special Political Committee for a separate vote on the provision that merely affirmed the Convention's applicability to the occupied territories. This provision was again upheld 143 (U.S.) to 1 (Israel), with no abstentions.

—The draft resolution on Israel's settlements policy and similar activities was adopted by a vote of 143 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 39/95C.)

—The draft resolution condemning a large number of alleged policies and practices of Israel was approved by 115 to 2 (U.S.), with 28 abstentions. (Resolution 39/95D.) Immediately before this vote, a separate vote was again taken on the tendentious sixth operative paragraph, and the Special Political Committee's earlier endorsement of this language was upheld by 99 votes to 18 (U.S.), with 25 abstentions. The pattern of broad Western opposition to this provision was repeated.

—The draft resolution on the expulsion of the Palestinian notables passed by a vote of 143 to 1 (Israel), with 1 (U.S.) abstention. (Resolution 39/95E.)

—The draft resolution concerning the Golan Heights was adopted by 141 votes to 1 (Israel), with 3 (U.S.) abstentions. (Resolution 39/95F.)

—The draft resolution condemning alleged oppression against Palestinian students and educational institutions was adopted by a vote of 117 to 2 (U.S.), with 26 abstentions. (Resolution 39/95G.)

—The draft resolution on the assassination attempts against the Palestinian mayors was adopted by 143 to 2 (U.S.). There were no abstentions. (Resolution 39/95H.)

The U.S. Representative, Ambassador Richard Schifter, speaking in the Special Political Committee after the votes, explained the U.S. position on the draft resolution. He criticized the "annual ritual" of adopting resolutions on this topic. "At best," he said, "the resolutions, repetitions of resolutions passed on a number of occasions in previous years, will have no practical effect. At worst, they make progress toward peace more difficult than it is." Since most of the resolutions repeated those of the previous year on this subject, Ambassador



Schifter explained, the United States generally voted as it had done in 1983. But he cited one exception: the resolution on the assassination attempts, which had been reworded to take account of the fact that the Israeli authorities recently charged certain persons with these crimes. "We see no reason to believe that Israel's legal system will fail to produce a just and fair result," the Ambassador declared. Therefore, interference by the United Nations is "highly inappropriate and wholly unjustified," and for that reason the United States voted "no" on this text.

Ambassador Schifter stressed the "deep commitment" of the United States to the process of forging peace between Arabs and Israelis. "We stand ready to assist in that process," he said, and we "are convinced that what is needed is a de-escalation of rhetoric." The United States disagreed with the inflammatory tone and unsubstantiated allegations in these resolutions. Moreover, he believed the one-sided emphasis harmed the credibility of the United Nations.

### **Armed Israeli Action Against Iraqi Nuclear Installations**

Carried over from previous years, an agenda item concerning the June 1981 Israeli raid on Iraq's nuclear reactor near Baghdad was considered by the General Assembly in three plenary meetings between November 8 and 16. A resolution condemning Israel was adopted on November 16 by a vote of 106 to 2 (U.S), with 33 abstentions. (Resolution 39/14.)

The resolution was initiated mainly by Iraq but it was sponsored also by 26 other countries. It reiterated the Assembly's previous condemnations of Israel's "refusal to implement" Security Council resolution 487 (1981), adopted on June 9, 1981 shortly after the raid, and it considered that later Israeli statements designed to reassure the international community about Israel's policy were insufficient to fulfill demands that Israel "withdraw forthwith its threat to attack and destroy nuclear facilities." The resolution asked the Security Council to consider measures to ensure compliance with its resolution 487. It demanded that Israel undertake not to attack nuclear installations devoted to peaceful purposes "in disregard of the safeguards system of the International Atomic Energy Agency."

The U.S. Representative, Dr. Guadalupe Quintanilla, explained the U.S. position on this issue in a statement to the November 16 plenary, shortly before the resolution was voted on. She believed the measure served no beneficial purpose. "To bring this matter up in the General Assembly year after year and now 3½ years after the first debate is an unproductive and ritualistic exercise." The Security Council "spoke definitively" on the problem when it adopted resolution 487 condemning the Israeli attack, which the United States supported. This General Assembly debate adds nothing useful,

Quintanilla asserted, and the item "should be dropped from the Assembly's future agenda."

Moreover, Dr. Quintanilla continued, the resolution before the floor failed to give due credit to Israel's repeated statements that it has no policy of attacking peaceful nuclear installations. By implicitly accusing Israel of threatening to attack nuclear facilities, the resolution indulges in a "prejudicial characterization of Israeli policy." In addition, the resolution serves to perpetrate divisive debate on the Israeli attack not only in the General Assembly but also in the International Atomic Energy Agency, hindering the important work of that technical body.

### **Canal Linking the Mediterranean Sea and the Dead Sea**

For the fourth consecutive year, the General Assembly agenda included an item titled "Israel's Decision to Build a Canal Linking the Mediterranean Sea to the Dead Sea." As in the past, it was allocated to the Special Political Committee, which considered it in four meetings between December 4 and 7. Led by Jordan, a draft resolution critical of Israel was introduced by 19 states. The Special Political Committee approved the draft on December 7 by a vote of 115 to 2 (U.S.), with 1 abstention, and recommended its adoption by the plenary.

The preambular section of the draft resolution judged that the proposed canal, if constructed, would not only violate international law but also adversely affect Palestinian and major Jordanian interests. The operative provisions reiterated the presumed violation of international law and demanded "once again that Israel not construct this canal and cease forthwith all actions taken and/or digging plans made towards the implementation of this project." States, organizations, and corporations were asked not to assist Israel in preparing or executing the project. The Secretary General was requested "to monitor and assess on a continuing basis and through a competent expert organ all aspects—juridical, political, economic, ecological, and demographic—of the adverse effects" arising from the proposed canal on Jordan and the Israeli occupied territories.

The draft resolution was considered by the plenary Assembly on December 14 and was adopted by 143 votes to 2 (U.S.), with 1 abstention. (Resolution 39/101.)

Ambassador Schifter explained the viewpoint of the United States, opposing this resolution in a statement to the December 7 session of the Special Political Committee. He said that, "according to information available to us, there is no indication that the proposed project with which this resolution deals is likely to move forward into actual construction at any time in the foreseeable future." Therefore, the United States could not understand why the matter should be

debated or become the subject of a resolution. "Heaping abuse on what is now not more than a purely theoretical concept serves absolutely no useful purpose." If the project becomes a live possibility in the far future, then "calm, private discussions among the parties directly involved, as has indeed been proposed, would be the most effective way of dealing with all aspects of this matter."

## **Cooperation Between the United Nations and the League of Arab States**

In previous years, successive General Assemblies adopted resolutions designed to encourage cooperation between the United Nations and the Arab League. Although the texts become longer from year to year, they were always considered routine and adopted without a vote, which the United States joined. A limited break in the consensus occurred with the resolution approved by the 38th General Assembly in 1983. It contained an operative paragraph implicitly endorsing past United Nations resolutions concerning Palestine and the Middle East, many of which the United States had strongly opposed. Therefore, the United States in 1983 called for a vote on that provision and voted against it. However, a large majority voted in its favor, and the United States joined the consensus approving the resolution as a whole. The subject thus never became seriously contentious prior to the 39th General Assembly.

Jordan introduced the resolution in the 39th General Assembly. It repeated and elaborated on the controversial paragraph of the previous year implicitly affirming past United Nations resolutions on Palestine and the Middle East. It requested the Secretary General and various organs of the United Nations system to promote cooperation with the Arab League. It endorsed a call for a major joint meeting in the field of social development, as well as other smaller meetings.

This text came before the plenary Assembly on November 8. The U.S. Representative, Ambassador Alan L. Keyes, asked for a vote on the paragraph affirming past resolutions. He stated that it refers to measures "which are opposed to fundamental United States policies for peace in the Middle East," and therefore the United States would vote against it. The Israeli Representative then declared that his delegation found it impossible to join a consensus on the subject of UN cooperation with the Arab League, which had as its whole purpose "the active negation of the existence of the State of Israel, a member state of the United Nations." Votes were accordingly taken, first on the separate paragraph as requested by the United States, and then on the resolution as a whole as requested by Israel. The paragraph was approved by a vote of 108 to 2 (U.S.), with 24 abstentions. The



resolution as a whole was adopted by 134 to 2 (U.S.), with 2 abstentions. (Resolution 39/9.)

After these ballots, Ambassador Keyes spoke to explain why the United States had voted against the entire resolution. "We would have much preferred to join in a consensus," he said. However, "we cannot fail to vote against a resolution which includes a paragraph that is totally inconsistent with and, in fact, opposed to many fundamental policies of the United States Government." Ambassador Keyes also voiced concern over the estimated additional cost for conference servicing resulting from the meeting contemplated in the resolution.

## **UN Relief and Works Agency for Palestine Refugees in the Near East**

The UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) is mandated by the General Assembly to provide education, health, and relief services to Palestinian refugees in Lebanon, Jordan, Syria, Gaza, and the West Bank. These services, which normally would be provided by host governments, meet basic human needs and provide some stability to the lives of the refugees. UNRWA's assistance is primarily to the young (school age), the aged, the handicapped, and others who are unable to support themselves. The majority of Palestinians are self-sufficient and rely on UNRWA only for those services which they are denied by host governments or by the prohibitive costs of private-sector substitutes.

The following is a breakdown of refugees registered with UNRWA (as of June 1984): Jordan, 781,564; Gaza Strip, 410,745; West Bank, 350,779; Lebanon, 256,207; and Syria, 235,207.

There is a common misconception that UNRWA's principal function is to operate refugee camps for Palestinians. This is not the case. The majority of Palestinians in the Near East who were displaced by events of 1948 and 1967 do not live in camps. What camps do exist are under the jurisdiction and administration of the host governments, namely Lebanon, Israel, Syria, and Jordan.

There are, however, UNRWA facilities in the camps, mostly schools and clinics, although many students and patients who do not live in the camps attend UNRWA schools and are treated at UNRWA clinics. Educational services represent two-thirds of UNRWA's operations. Today, UNRWA operates 653 primary and junior secondary schools with over 342,000 pupils and seven vocational and four teacher training centers with 5,000 trainees. There are also some 100 UNRWA Health Centers serving the refugees. These facilities are located in all five areas in which UNRWA operates.

Historically, UNRWA has survived and has continued to operate through many crises, including the invasion of the Gaza Strip in 1956; the renewed Arab-Israeli hostilities in 1967 and 1973; civil strife in



Jordan in September 1970; the 1975-76 Lebanese civil war; military action in southern Lebanon during 1978 and 1979; the Israeli invasion of southern Lebanon in June 1982; and the hostilities in Northern Lebanon in 1983.

The following table represents contributions in millions of U.S. dollars by major donors provided in 1984 to UNRWA.

### UNRWA Contributions, 1984

	\$ millions
United States	67.0
European Economic Community	21.4
Japan	8.5
Norway	7.7
Sweden	7.5
United Kingdom	7.3
Canada	6.5
Switzerland	3.9
Federal Republic of Germany	3.5
Denmark	3.2
Saudi Arabia	3.2
Australia	2.2

UNRWA's Advisory Commission<sup>2</sup> meets once a year to consider the annual report prepared by the Commissioner General. The Commission serves as a forum for host governments and major donors to meet in closed sessions with each other and the Commissioner General.

The Special Political Committee on November 12 approved 11 resolutions concerning UNRWA, all of which were adopted by the General Assembly plenary on December 14. The United States supported four of these resolutions, which dealt with UNRWA finances and assistance to Palestinian refugees, including student scholarships.

The first draft resolution, entitled "Assistance to Palestine Refugees," was introduced by the U.S. Representative, Ambassador Schifter. He noted the recent visit to UNRWA fields of operation by senior U.S. officials who reported favorably on the effectiveness and efficiency of the Commissioner General using the resources at his disposal. As in past years, the resolution, *inter alia*, noted with regret that the repatriation or compensation to refugees as provided for in General Assembly resolution 194 (III) had not been effected, nor substantial progress made toward either repatriation or resettlement,

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<sup>2</sup>In 1984 the Commission consisted of Belgium, Egypt, France, Japan, Jordan, Lebanon, Syria, Turkey, United Kingdom, and the United States.

and that therefore the situation of the refugees continued to be a matter of concern; noted that the level of income of UNRWA, although increased due to the efforts of the Commissioner General, was still insufficient to cover essential budget requirements and urged all governments to cooperate in contributing to the needs of UNRWA; called for UNRWA's Headquarters to be "relocated to its former site within its area of operations as soon as practicable"; and called for extension of UNRWA's mandate to June 30, 1987. The Committee approved the draft resolution by a vote of 109 (U.S.) to 0, with 1 (Israel) abstention. It was adopted in the plenary Assembly by 145 (U.S.) to 0, with 1 (Israel) abstention. (Resolution 39/99 A.)

The Netherlands introduced, on behalf of 17 cosponsors, a draft resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East." This resolution, commending the Working Group on its efforts to ensure the Agency's financial security and extending its mandate for the coming year, was approved without a vote in Committee and adopted in the same manner in the General Assembly. (Resolution 39/99 B.)

A third draft resolution, entitled "Assistance to persons displaced as a result of June 1967 and subsequent hostilities," was introduced by Sweden on behalf of 20 other member states. This resolution endorsed the efforts of the Commissioner General to provide relief services to Palestinians displaced by war and was approved in committee and adopted in the General Assembly without a vote. (Resolution 39/99 C.)

Bangladesh introduced a draft resolution identical to the one it had introduced the previous year and entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for the Palestinian refugees." The draft appealed to states, specialized agencies, and private organizations to increase special contributions for scholarships and grants. It also urged contributions toward Palestinian universities and vocational training centers and for the proposed University of Jerusalem "Al-Quds" for Palestinian refugees. The draft was approved in Committee by a vote of 115 (U.S.) to 0, with 1 (Israel) abstention, and adopted by the plenary Assembly by a vote of 145 (U.S.) to 0, with 1 (Israel) abstention. (Resolution 39/99 D.)

Pakistan then introduced two draft resolutions, "Palestine refugees in the Gaza Strip" and "Resumption of the ration distribution to Palestine refugees." The first reiterated its demand that Israel desist from removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters. It also requested the Secretary General, often consulting with the UNRWA Commissioner General, to report to the General Assembly before the

opening of the 40th session, on Israel's compliance with the resolution's directive. The draft was approved in Committee by a vote of 117 to 2 (U.S., Israel), with no abstentions. The plenary Assembly adopted the resolution by a recorded vote of 145 to 2 (U.S., Israel), with no abstentions. (Resolution 39/99 E.)

The second requested the UNRWA Commissioner General to resume on a continuing basis and as soon as possible the interrupted general ration distribution to Palestinian refugees in all fields. The resolution was approved in the Committee by a vote of 94 to 19 (U.S.), with 6 abstentions. It was adopted in the plenary Assembly by a recorded vote of 112 to 19 (U.S.), with 4 abstentions. (Resolution 39/99 F.)

Then Bangladesh introduced two additional draft resolutions: "Population and refugee displacement since 1967" and "Revenues derived from Palestine refugee properties." The first reaffirmed the right of persons displaced since 1967 to return to their homes; considered any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants as null and void; and called upon Israel to desist from all measures that obstruct the return of displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories. The draft was approved in Committee by a vote of 100 to 2 (U.S., Israel), with 18 abstentions, and adopted in the plenary Assembly by a vote of 127 to 2 (U.S., Israel), with 17 abstentions. (Resolution 39/99 G.)

The draft concerning revenues derived from Palestine refugees properties, *inter alia*, called upon the Secretary General to take measures to protect and administer Arab property and assets in Israel and to establish a fund for the receipt of income derived from the properties; this repeated the provision in a like resolution of the previous year. It also deplored Israel's refusal to cooperate with the Secretary General in the implementation of the resolution. The draft resolution was approved in committee by a vote of 99 to 2 (U.S., Israel), with 20 abstentions, and adopted in the plenary Assembly by a recorded vote of 123 to 2 (U.S., Israel), with 21 abstentions. (Resolution 39/99 H.)

Pakistan introduced two more draft resolutions. The first dealt with "Protection of Palestine refugees" and which, among other things, (1) held Israel responsible for the lack of security for Palestinian refugees in occupied southern Lebanon; (2) called upon Israel to release Palestinian refugees, including UNRWA employees; (3) called upon Israel to desist forthwith from preventing Palestinians registered as refugees in Lebanon from returning to their camps in Lebanon; and (4) once again called upon Israel to compensate UNRWA for damage to its property and facilities resulting from Israel's invasion of Lebanon. The draft was approved in committee by



a vote of 98 to 2 (U.S., Israel), with 23 abstentions, and adopted in the General Assembly by a recorded vote of 127 to 2 (U.S., Israel), with 18 abstentions. (Resolution 39/99 I.)

The second draft was entitled "Palestine refugees in the West Bank." This draft called upon Israel to abandon its plans and to refrain from any action that might lead to the removal and resettlement of Palestine refugees in the West Bank and from the destruction of their camps. The draft was approved in Committee by a vote of 123 to 2 (U.S., Israel), with no abstentions, and adopted by the General Assembly by a vote of 145 to 2 (U.S., Israel), with no abstentions. (Resolution 39/99 J.)

Finally, Bangladesh introduced a draft resolution, "University of Jerusalem 'Al-Quds' for Palestine Refugees," which called for the establishment of a university for Palestine refugees in Jerusalem and urged Israel, "as the occupying power," to "remove hindrances which it has put in the way" of establishing a university. The Committee approved the draft resolution by a vote of 126 to 2 (U.S., Israel), with no abstentions. It was adopted in the General Assembly by a recorded vote of 144 to 2 (U.S., Israel), with no abstentions. (Resolution 39/99 K.)

The U.S. Representative, Warren Clark, explained the negative votes of his government. He pointed out that the United States saw "no usefulness in favoring resolutions which have no chance of achieving any useful results in connection with UNRWA's stated objectives, served merely to aggravate existing areas of friction, prejudged issues which should be settled through negotiation, or would actually prevent certain measures from being taken which would be of benefit to the Palestinian refugees."

He said that the United States continues to favor grants and scholarships, but we do not, however, support that part of the resolution on grants and scholarships dealing with the subject. We also opposed those resolutions, since these documents are unrealistic or totally one-sided, singling out Israel for attention and ignoring the actions taken against UNRWA and the refugees by other governments and parties in the area. The resolution "Palestine Refugees in the Gaza Strip" would also oppose Israel's taking any action to improve the lot of certain refugees. As to the resolution on "Revenues derived from Palestinian refugee properties," this is an issue outside of UNRWA which must be dealt with in the overall negotiations for a peace settlement."

Mr. Clark concluded his statement by expressing the "hope that UNRWA will be able to continue its effective humanitarian efforts and receive increased support from the international community, and that it will not be distracted from its task by the injection of political issues, more appropriately dealt with in another context."



## Conflict Between Iran and Iraq

The Secretary General was active during 1984 in a continuing effort to reduce the horrors of the warfare between Iran and Iraq. He achieved somewhat encouraging progress in three areas: the use of chemical weapons; attacks on civilian areas; and the treatment of prisoners of war.

### SECURITY COUNCIL CONSIDERATION

The Security Council was called into formal session on two separate occasions in 1984 to discuss the continuing Iran-Iraq war. One of these meetings resulted in a consensus statement by the Council's President on behalf of the members. The other discussion resulted in a resolution which was adopted overwhelmingly.

### Chemical Weapons

Starting in November 1983 and continuing into 1984, Iran sent letters to the United Nations containing accusations that Iraq had used chemical weapons against Iranian forces. Press reports tended to corroborate this charge. To ascertain the facts, the Secretary General requested four specialists from Sweden, Spain, Australia, and Switzerland to undertake a factfinding mission to Iran. This team visited Iran for 6 days in mid-March and submitted a report to the Secretary General on March 21. The Secretary General transmitted the report to the Security Council, under cover of a note of his endorsement, on March 26.

The specialists' report gave a detailed description of their investigations and listed three unanimous conclusions: chemical weapons in the form of aerial bombs had been used; the chemical agents used were mustard gas and a nerve agent known as Tabun; and the extent of use could not be determined within the time and resources available.

The Council convened on March 30 in formal session to consider the report of specialists sent by the Secretary General to investigate Iranian allegations that Iraq had used chemical weapons. The Council also had before it three letters to the Secretary General from the Permanent Representatives of Iran and Iraq, all dated March 27. Two Iranian letters reiterated the accusation of Iraq's use of chemical weapons; an Iraqi letter denied the charge and regretted that the Secretariat had concentrated on "secondary and incidental aspects of the conflict—and alleged ones at that—at a time when there is a most urgent need for concentration on the root of the issue, namely, the conflict itself and its termination."

The Council's March 30 session lasted just 10 minutes. The President (Peru) read a statement on behalf of the members that had

been drafted and unanimously accepted through earlier consultations. Noting the report of the specialists and its conclusion that chemical weapons had been used, the statement condemned this practice and reaffirmed the need for governments to abide by the Geneva Protocol of 1925 on the subject. The statement also renewed the call for a ceasefire and a peaceful settlement between the belligerents, and it supported the mediation efforts of the Secretary General. The statement affirmed the view of the Secretary General contained in his introductory note to the specialists' report that humanitarian concerns relating to the war "can only be fully satisfied by putting an end to the tragic conflict that continues to deplete the precious human resources of Iran and Iraq."

### Attacks on Civilian Areas

While on a trip to the Middle East, the Secretary General on June 9 sent identical messages to Iran and Iraq urging them to make parallel declarations to him that they would cease "deliberate military attacks . . . on purely civilian population centers." This appeal was prompted, the Secretary General said, by news of heavy civilian casualties in recent attacks on towns in Iran and Iraq. He asked the two governments to reply by June 11 and to begin their mutual commitments on June 12. If necessary, he would be prepared to seek the adoption of measures to verify the commitments.

Iran and Iraq replied affirmatively to this request through letters dated June 10 from their Permanent Representatives in New York. The Iranian acceptance of the Secretary General's proposal was "conditional on the total ending of the Iraqi regime's criminal acts of bombarding Iranian cities," and it proposed that measures be adopted to determine violations. Iraq accepted the Secretary General's plea "on condition that Iran is committed thereby," and it affirmed the need for both belligerents "to refrain from concentrating their military forces in or near towns." The Iraqi acceptance, like Iran's, insisted on arrangements to monitor the agreement; Iraq declared that "bitter experience has proved the futility of believing the allegations of the Iranian government, especially with regard to the bombing of defenseless inhabitants and towns."

On June 11 the Secretary General sent nearly identical messages to Iran and Iraq confirming their parallel undertakings and expressing his trust that they would be implemented scrupulously. He added that he was instructing Under Secretary General Diego Cordovez to contact the Iranian and Iraqi Permanent Representatives "with a view to considering the measures that might be essential to verify that the commitments are adhered to."

The discussions, led by Mr. Cordovez, succeeded in reaching agreement on verification arrangements. Accordingly, the Secretary

General sent a letter to the President of the Security Council (U.K.) on June 14 outlining what he planned to do. Two teams would be formed immediately, each consisting of three officers from the military personnel in the United Nations Truce Supervision Organization (UNTSO) and one senior Secretariat official. The teams would proceed to Iran and Iraq as soon as requested by the respective government in each case. The task of the teams would be to inspect specific allegations of violations and to report to the Secretary General, who would keep the Security Council informed.

The Security Council did not convene any formal meetings to consider the Secretary General's initiative but held an informal consultative session on June 11 at which the members indicated that they welcomed the positive Iranian and Iraqi replies to the Secretary General's appeal. On June 15 the President of the Council sent a letter to the Secretary General stating that he had discussed with the Council's members the Secretary General's letter to him of the previous day. The Council President stated that the members "agree with the measures proposed in your letter." The two monitoring teams installed themselves in Iraq on June 20 and in Iran on June 26. Despite accusations traded between the two belligerents about alleged bad faith and violations by the other side, the Secretary General's ceasefire arrangement on civilian areas held through the end of the year.

### **Prisoners of War**

On October 25, Iraq addressed a letter to the Secretary General claiming that Iranian soldiers had "indiscriminately opened fire" on Iraqi prisoners in an Iranian camp on October 10, killing or injuring some. The letter asked the Secretary General to send a mission to investigate. The Iranian Permanent Representatives in New York replied to this charge in a letter dated November 7, enclosing a report of the International Committee of the Red Cross (ICRC) on the October 10 incident. The Iraqi Permanent Representative responded on November 27 with a letter, enclosing the text of a statement by Alexander Hay, President of the ICRC.

Following receipt of the October 25 letter from Iraq, the Secretary General and his staff undertook consultations and in early November were able to announce that a team would visit Iran and Iraq to inquire into conditions faced by prisoners of war and civilian detainees in the conflict. Experts from Norway, Venezuela, and Japan comprised the team. The mission was originally scheduled to begin in mid-November, but it was postponed at the request of Iran because agreement could not be reached on the modalities for its work. On December 17, the Secretariat announced that an understanding had been reached overcoming these difficulties. The team was to assemble



in Geneva in early January 1985. After meeting there with ICRC representatives, the team would visit Iraq and then go to Iran.

### Persian Gulf Incidents

Iranian fighter aircraft attacked three Kuwaiti and Saudi oil tankers under way in the Persian Gulf in mid-May. These incidents followed stepped-up Iraqi attacks on ships, a tactic apparently designed to curtail tanker traffic to Iran's Kharg Island. The Iranian reprisals, which were against vessels that had loaded oil in Kuwait, prompted the six Arab states constituting the Gulf Cooperation Council (GCC)<sup>3</sup> to seek on May 21 an urgent session of the Security Council. The Council met five times between May 25 and June 1 to consider the GCC complaint and the expansion of the war implicit in the recent events. At the June 1 meeting, the Security Council voted on a draft resolution submitted by the GCC states. It was adopted 13 (U.S.) to 0, with 2 abstentions (Nicaragua and Zimbabwe), becoming resolution 552.

The resolution's preambular section expressed deep concern over the recent attacks, noting that they were on commercial vessels en route to and from the ports of Kuwait and Saudi Arabia. The resolution's operative paragraphs condemned these attacks and reaffirmed "the right of free navigation in international waters and sea lanes for shipping en route to and from all ports and installations of the littoral States that are not parties to the hostilities." States were called on to respect the territorial integrity of countries not involved in the conflict and to refrain from acts that might lead to a widening of the war. In the event of noncompliance with these declarations, the resolution stated the Council would meet again to decide what to do.

On May 30, the U.S. Representative, Ambassador José Sorzano, explained the U.S. position. He noted that the Security Council had met repeatedly in an effort to end the Iran-Iraq war or to lessen its destructive impact. Despite these efforts, the war not only had continued but had expanded, threatening the region and even the global economic system. He also noted that the right of free navigation has long been enshrined in international law. This right, he said, is "too important a concept to an increasingly interdependent world for us to permit it to be trampled upon." While the United States hoped the time would soon come when a ceasefire would occur and mediation take place to resolve the overall conflict, this was no reason to refrain now from addressing the specific issue of attacks on shipping, as requested by the six GCC states. The United States supported the

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<sup>3</sup>Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.



views expressed by the GCC governments on this question. "We must prevent a widening of the war in the Persian Gulf, which might disrupt the vital flow of oil," the Ambassador declared.

## GENERAL ASSEMBLY CONSIDERATION

In the 37th and 38th General Assemblies, an item titled "Consequences of the prolongation of the armed conflict between Iran and Iraq" was inscribed on the agenda at Iraq's request. A resolution was adopted under this item in the 37th General Assembly, but the 38th General Assembly suspended its session in December 1983 without addressing the subject. Reconvening briefly in September 1984, just before the opening of the 39th General Assembly, the 38th General Assembly decided to carry over this item to the agenda of the 39th General Assembly.

Again, however, the topic was not raised during the Assembly's regular deliberations. As happened the previous year, the 39th General Assembly suspended on December 18 without addressing the matter and decided to keep the item on its agenda for consideration at a resumed session.

## Afghanistan

The 39th General Assembly passed by an overwhelming majority a resolution calling for a political solution to the Afghanistan problem, including the complete withdrawal of foreign troops. This was the sixth session of the General Assembly since the December 1979 Soviet invasion of Afghanistan to adopt such a resolution. Sponsored by Pakistan and 46 other nonaligned states, the resolution was adopted on November 15 by a vote of 119 (U.S.) to 20, with 14 abstentions, a net addition of three affirmative votes over the previous year. Prior to the vote, 50 states spoke in the Assembly debate. (Resolution 39/13.)

The resolution, entitled "The situation in Afghanistan and its implications for international peace and security," was a duplicate of the resolution adopted at the 38th General Assembly and once again outlined four major elements for an Afghanistan settlement: (1) withdrawal of foreign troops; (2) restoration of an independent and nonaligned Afghanistan; (3) the right of self-determination for the Afghan people; and (4) the right of Afghan refugees to return with safety and honor. The resolution also called on the Secretary General to continue to seek a political solution based on these principles.

Speaking for the United States, Ambassador Jeane J. Kirkpatrick

praised the courage of the Afghan people. She stated that:

In Afghanistan, we see again that rulers may achieve power by force but that simple possession of power does not obligate submission—it may even obligate resistance. The Afghan people—invaded, overrun, murdered, occupied—resist. Their resistance is a modern legend. Slated for incorporation, absorption, secularization, the Afghan people refuse to acquiesce in the destruction of their society, culture, themselves as a nation.

Ambassador Kirkpatrick decried the death and destruction wrought by the Soviet invaders and the Kabul regime and called for compliance with the General Assembly resolutions on Afghanistan which provide “a basis for an honorable solution which serves the interests of all parties.” She urged support of the indirect talks between Pakistan and Afghanistan, led by the Secretary General’s personal representative, Under Secretary General Diego Cordovez, which aim at a peaceful settlement of the conflict, and added:

As President Reagan said in his address to this body on September 24 of this year, the United States strongly supports the efforts of the Secretary General and his personal representative. We welcome the announcement that those efforts will resume in 1985. We support, too, the strong efforts the Government of Pakistan has made to seek a solution through this medium. We believe that these efforts offer the basis for hope that a negotiated political settlement can be found which will end the terrible war against the Afghan people.

## **Cambodia**

### **CREDENTIALS AT THE GENERAL ASSEMBLY**

For the second consecutive year since the UN began dealing with the Cambodian issue in the wake of Vietnam’s invasion of that country in 1978, Hanoi chose not to challenge the credentials of Democratic Kampuchea (the coalition government of the Cambodian resistance). In past Assemblies, Vietnam’s challenges to the Democratic Kampuchean seat consistently met with overwhelming defeat in the plenary. The report of the Credentials Committee, which accepted Democratic Kampuchea’s credentials among others, was adopted by consensus on October 17.

### **GENERAL ASSEMBLY CONSIDERATION**

Each year since the Vietnamese invasion of Cambodia in December 1978, the General Assembly has passed by huge majorities a resolution calling for the total withdrawal of foreign forces, self-determination for the Khmer people, and aid to Khmer refugees. The resolution is introduced each year by members of the Association of

Southeast Asian Nations (ASEAN), comprised of Brunei, Indonesia, Malaysia, the Philippines, Thailand, and Singapore.

This year, the resolution on the situation in Cambodia was adopted on October 30, after 2 days of debate, by a recorded vote of 110 (U.S.) to 22, with 18 abstentions, a net gain of five affirmative votes over last year. (Resolution 39/5.) It reaffirmed resolutions of the previous 5 years and called for their full implementation. It reiterated the conviction that:

... the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty and territorial integrity, the right of the Kampuchean people to determine their own destiny and the commitment by all states to non-interference and non-intervention in the internal affairs of Kampuchea are the principal components of any just and lasting resolution of the Kampuchean problem.

The resolution also termed the Declaration of the International Conference on Kampuchea, held at UN headquarters in July 1981, as "the negotiating framework for a comprehensive political settlement of the Kampuchean problem." Speaking for the United States, Ambassador Kirkpatrick called for Vietnamese compliance with the General Assembly resolutions on Cambodia. She stated that:

Hanoi, aided and abetted by the Soviet Union, ignores those resolutions, continuing its illegal occupation of Cambodia and its oppression of the Cambodian people in violation of the Charter of the United Nations and in defiance of the expressed will of the General Assembly, offering to the Cambodian people no opportunity for self-determination or self-government. The need to address the situation in Cambodia—for the sixth time—is testimony to the stubborn policy of military conquest and colonization being pursued by the Socialist Republic of Vietnam.

Noting that the way to a fair and just settlement to the Cambodian problem has been shown by the international community, Ambassador Kirkpatrick added that:

Such a settlement would guarantee a free and neutral Cambodia and constitute a threat to none of its neighbors. It would also end Vietnam's international isolation, restore Vietnam's dignity and freedom of action and permit Vietnam to turn to the task of building its own economy and uplifting the living conditions of the long-suffering Vietnamese people.

In recent years, Vietnam has introduced an item for debate in the General Assembly entitled "Peace, Stability and Cooperation in Southeast Asia," which deals with regional security concerns but avoids directly addressing the Cambodian problem. But, because it has been unable to attract broad support, Vietnam has never submitted a resolution on the topic. However, the plenary Assembly



did decide to include the item in the provisional agenda of its 40th session.

## **South African Policies of Apartheid**

### **SECURITY COUNCIL CONSIDERATION**

The Security Council met 10 times in 1984 to consider questions relating to South Africa and adopted five resolutions on the subject. The first series of meetings concerned a complaint against South Africa by Angola. The second dealt with the death sentence passed on a South African. Meetings in August and October were called to consider internal developments in South Africa. The final meeting, in December, dealt with the South African arms embargo.

On January 1 the Permanent Representative of Angola requested an urgent meeting of the Security Council to consider "the worsening military situation in southern Angola created by the progressive moves by the South African military units further north into Angolan territory." The Security Council had met several times in late December 1983 on the same question, culminating in the adoption on December 20 of resolution 545, which condemned South African military occupation of parts of southern Angola and demanded the unconditional withdrawal of the occupation forces.

On December 31 the President of Angola wrote to the Secretary General conditionally accepting a South African offer of disengagement of military forces, to begin on January 31, but complaining that in the interim South Africa had escalated its military aggression against Angola.

Against this background, the Security Council met three times during January 4-6 to consider the Angolan complaint. A total of 22 speakers took part in the debate. The Representative of Angola opened the discussion by recalling the December debate and charging that South African aggression continued. He denounced South African cynicism in offering a military disengagement while stepping up armed attacks inside Angola. Alleging that South Africa had committed 2,988 acts of aggression against Angola between 1976 and 1981, and countless additional acts since that time, he concluded that the Security Council "owes southern African states some action that will redress the existing military aggression being carried out by the racist South African regime." Speaking next, the South African Representative rejoined that "South Africa has no desire to control a single centimeter of Angolan territory and that South African security operations in southern Angola have but a single objective, and that is the protection of the inhabitants of South West Africa/Namibia from SWAPO terrorist attacks which are launched from Angolan territory."



On January 6 the Security Council adopted, by a vote of 13 to 0, with 2 (U.S.) abstentions, a resolution that strongly condemned South Africa for "its renewed, intensified, premeditated, and unprovoked bombing, as well as the continuing occupation of parts of the territory of Angola, which . . . endanger seriously international peace and security." It further demanded that South Africa cease its acts of aggression and requested member states to extend all necessary assistance to Angola to defend itself. (Resolution 546 (1984).)

In an explanation of the vote following the adoption of the resolution, the U.S. Representative, Ambassador Charles Lichenstein, expressed deep concern over the escalating cycle of violence in southern Africa and asserted the U.S. view that there could be only negotiated solutions, not military solutions, to the problems of the region. In this regard, he welcomed the South African and Angolan letters to the Secretary General on a disengagement of military forces. He regretted that the resolution just adopted focused on recriminations and condemnation rather than on this new opportunity for peaceful reconciliation; for this reason, the United States had abstained.

On January 13 the Security Council met at the request of Togo, Chairman of the African Group, and adopted a resolution concerning the death sentence passed in South Africa on Malesela Benjamin Maloise.

On June 6, 1983 Maloise had been convicted by a South African court of the 1982 murder of a policeman. The draft resolution before the Council expressed grave concern over the South African decision to reject an appeal of the death sentence and noted that "carrying out the death sentence will further aggravate the situation in South Africa." The resolution called on the South African authorities to commute the death sentence and urged all states and organizations to take urgent measures to save the life of Mr. Maloise. The resolution was adopted unanimously without any statements being made. (Resolution 547 (1984).)

In a letter dated August 8, the Representative of Algeria, acting on behalf of the African Group, requested an urgent meeting of the Security Council to consider "the so-called constitutional reforms in South Africa." South Africa's white electorate had approved a new constitution in November 1983. Elections for the newly created "Colored" (mixed race) and Asian houses of parliament were scheduled to take place later, in August 1984.

The Security Council met four times on August 16 and 17 to consider the situation. In the course of 2 days of debate, 40 speakers took the floor, most of them denouncing the racial basis of the new South African constitution and its lack of provision of any representation for the country's black majority.

Most speakers condemned apartheid and suggested that reform of the system was impossible, that it should be totally eradicated. Many speakers added that implementation of the constitution would aggravate tensions in the region. The representative of the African National Congress questioned U.S. policy on South Africa, prompting a reply by the U.S. Representative, Ambassador Kirkpatrick, who said:

First, I will affirm as clearly and unequivocally as possible, as I have on many occasions in this Council on behalf of the United States, that the United States Government deplores apartheid, condemns apartheid as we condemn all denial of full citizenship and rights of full citizenship and of democracy to all citizens of all countries, unequivocally.

Second, I should like to underscore that the United States does indeed condemn this constitution now before us for consideration, and all constitutions that are not, and do not provide full adult suffrage and free elections, as we deplore all constitutions of all Governments that do not feature democratic elections in which all adult citizens may participate under conditions of free speech, of access to media, of free assembly, of majority rule, of protection of minority rights. The United States indeed deplores all Governments everywhere which are not governments based on consent deriving from the right of all citizens to participate in the processes of their Government. We do not approve of any Government in which blacks are disenfranchised or, indeed, any other category of citizens whatsoever. We oppose—indeed—deplore all Governments which deprive any category of their citizens of their full rights . . . The Council can count on United States support for any resolution which espouses the rights of members under the Charter of the United Nations, which are consistent with the principles of the Charter, providing only that the members of the Council are ready to apply those principles and guarantee those rights to all other people in all other societies represented here today.

At its final session on August 17, the Security Council adopted, by a vote of 13 to 0, with 2 (U.S.) abstentions, a resolution which strongly rejected and declared "as null and void the so-called 'new constitution' and the 'elections' to be organized later in August 1984 for the 'colored people' and people of Asian origin." It further declared that the constitution was contrary to the principles of the United Nations Charter and that its implementation would aggravate tension in South Africa and the region. It urged all governments "not to accord recognition to the results of the so-called elections." (Resolution 554 (1984).)

In explaining the U.S. abstention, Ambassador Richard Schifter told the Security Council that the United States believes a process of change for the better is underway in South Africa, and it is in this context that we view the constitution. He said that "we have not endorsed and do not endorse those constitutional developments, nor do we believe that current changes in that country are adequate as a solution to its problems in that they do not deal with the fundamental issue of the political role of black South Africans." Despite this, he concluded, we regard the constitutional change as a first step and

therefore "we do not find ourselves in agreement with the basic tenets on which the text before us is based."

The Security Council reconvened on October 23 to continue its consideration of this issue. The meeting was called at the request of the Representative of Ethiopia, as Chairman of the African Group, "in pursuance of General Assembly resolution 39/2 of September 28, 1984, to consider the serious situation in South Africa emanating from the imposition of the so-called new constitution." Resolution 39/2 had rejected the South African constitution and urged the Security Council to take measures to avert "further aggravation of tension and conflict in South Africa."

Opening the debate, the Representative of Ethiopia charged that as a result of resolution 554, the South African Government was illegal, and that its "illegitimate and racist character . . . has been further underlined by the popular uprising that followed the imposition of the racist constitution." He called for the Security Council to take action against South Africa. Only four other speakers made statements before the vote, with the highlight being an unusual appearance before the Council by South African Bishop Desmond Tutu, recipient of the 1984 Nobel Peace Prize. Tutu deplored all forms of violence and appealed to his white fellow South Africans to share in building a new society.

A resolution was then adopted by a vote of 14 to 0, with 1 (U.S.) abstention. The resolution expressed alarm at the "wanton killing and the maiming of defenseless demonstrators and workers on strike as well as the imposition of virtual martial-law conditions intended to facilitate the brutal repression of the black population." It commended boycotters of elections under the new constitution and a strike by black students against its imposition. The resolution condemned "apartheid, a system characterized as a crime against humanity"; demanded its "immediate eradication"; and demanded the immediate cessation of "massacres of the oppressed people." (Resolution 556 (1984).)

Speaking for the United States, Ambassador Kirkpatrick explained that "in abstaining today, the United States interposed no obstacle to the resolution adopted by this Council, though some excesses of language prevented us from joining the Council in voting affirmatively." She went on to reiterate U.S. abhorrence of apartheid, express concern at the violence in South Africa, and state strong U.S. support for equal rights, freedom, opportunity, self-government, and self-determination for all citizens of all countries.

On December 13 the Security Council met to adopt a resolution concerning the South African arms embargo. A mandatory embargo barring exports of arms to South Africa had been adopted by the Security Council in its resolution 418 (1977). In introducing the new



resolution, the Permanent Representative of the Netherlands charged that South Africa had subverted the intention of the original arms embargo by developing a major defense industry of its own. He stated that additional sanctions proposed in the new resolution were not mandatory but nevertheless represented both a step forward in closing the loopholes in the embargo and a recommitment by the Council to resolution 418.

Following this introduction, the Council moved immediately to a vote and unanimously adopted the draft as resolution 558 (1984). The resolution reaffirmed resolution 418 (1977) and requested all states to refrain from importing arms, ammunition of all types, and military vehicles produced in South Africa. Five speakers made statements following the vote. The United States did not speak.

## **Other African Questions**

### **SUDAN AND LIBYA**

On March 18 the Permanent Representative of Sudan requested that the Security Council meet to consider "the aggression committed by the Libyan Arab Jamahiriya against the Sudan on Friday, 16 March 1984, which constitutes one link in an uninterrupted series of aggressive acts and threats on the part of Libya against the security and integrity of the Sudan." The act in question was an air raid on the Sudanese town of Omdurman, situated on the west bank of the Nile. In a letter of response addressed to the Secretary General on March 19, the Libyan Secretary of the People's Committee of the People's Bureau for Foreign Liaison dismissed the Sudanese complaint as "a series of lies, falsehoods, allegations and threats" intended to prepare for Sudanese "military aggression against the Jamahiriya with the cooperation of the imperialist powers." In a followup letter the next day to the President of the Security Council, the Libyan Chargé d'affaires countered Sudan's complaint by drawing the Council's attention to what he called the "aggressive practices of the United States Administration against the Libyan Arab Jamahiriya," in particular the sending of two AWACS aircraft to Sudan. On March 22 the Libyan Chargé d'affaires requested an urgent meeting of the Security Council to consider the supposed threat to peace and security represented by this "hostile and provocative" American action.

The Council met twice on March 27 to consider the Sudanese complaint. The debate began with the Foreign Minister of Sudan reiterating the Sudanese charges against Libya in substantially greater detail than had been contained in his mission's letter to the Secretary General. He charged that on March 16, a Soviet-built Tupolev TU-22 bomber of the Libyan air force, operating out of the military base of Kurfa, in southeast Libya, dropped five 500-pound



bombs on Omdurman, one of the three boroughs making up the national capital of Sudan. He called this a "flagrant act of aggression against and a blatant violation of the sovereignty of the Sudan, a dastardly act of war and a heinous attack against civilian targets in the most densely populated city in the Sudan," made worse since it was only one of a long series of Libyan acts of aggression against Sudan. In response, the Secretary of the People's Committee of the People's Bureau for Foreign Liaison of Libya charged that the problems in Sudan were a result of internal instability and heavy debt that had turned Sudan into "a protectorate of the International Monetary Fund." He alleged that Sudan had fabricated the incident in order to "justify imperialist American intervention and the dispatch of the AWACS" and to obtain more American aid.

In addition to Sudan and Libya, 14 other countries also took part in the day-long debate, most of them speaking in support of Sudan. Ambassador Kirkpatrick told the Security Council that the Libyan statement was a "web of lies and fabrications" designed to obscure the clear evidence of Libya's unprovoked attack against Sudan. She provided additional details of the bombing raid, pointing out it formed parts of a clear and familiar pattern of Libyan aggression and subversion against a wide range of African and other countries, including most recently Chad and Great Britain. In conclusion, she told the Council:

Libya's record of subversion, assassination, and terror is clear. It is grim. It challenges civilization. The Libyan record provides an interesting example of the difference between ideology and process. Colonel Qaddafi's creed of Islamic unity masks an overriding ambition for the expansion of Libyan territory and of his own power. In organizing, promoting, recruiting, perpetuating violence and terror against airline passengers, diplomats, civilian passers-by, heads of state, neighbouring peoples, with its pursuit by the methods of violence Libya works to destroy the distinctions between war and peace, civilian and combatant, between politics and crime.

The world should take careful note of these words and acts of the Libyan Government. They clarify the threats to peace, independence, self-government with which so many countries must live, the threats to peace and security with which we are all burdened. Meanwhile, we should offer the Sudan our support in its efforts to secure from this Council protection against aggression, to which the Charter entitles it.

The meeting adjourned the evening of March 27 with no resolution having been put forward.

## **LIBYA AND THE UNITED STATES**

The Security Council reconvened the morning of March 28 to consider the separate but parallel complaint by Libya against the United States. The debate was opened by the Libyan Secretary of the

People's Committee of the People's Bureau for Foreign Liaison, who charged that U.S. "provocation and harassment of Libya" had created an explosive situation. He alleged that since the Libyan revolution the United States had undertaken a campaign of military and economic action against Libya, as it had against many countries throughout the world since the promulgation of the Monroe Doctrine. In the case of Libya, he continued, the problem was Libya's position on the Palestine question and that "the policy of the United States is under the full control of Zionism."

The U.S. Representative, Warren Clark, replied briefly that AWACS aircraft are not aggressive weapons; that they were dispatched at the request of Sudan after it had been attacked by Libya; and that U.S. actions were wholly consistent with international law and the provisions of the UN Charter. The debate continued on the afternoon of March 28 and the morning of April 2. An additional 18 speakers took the floor, most of them speaking in support of the Libyan complaint.

Mr. Clark exercised his right of reply after the debate had concluded and commented: "I should just like to say that we cannot agree that the dreary litany—to which this Council has listened so patiently—by non-members of the Council, members not known for their independent voting record, and by the most aligned members of the non-aligned, means much of anything at all." The meeting then adjourned with no resolution having been proposed.

## COMORIAN ISLAND OF MAYOTTE

The question of the Comorian Island of Mayotte has been included in the General Assembly's agenda since 1976. The dispute between France and the Comoros centers on the status of the Island of Mayotte, whose largely Christian population in referendums in 1974 and 1976 indicated a preference to remain a part of France rather than associate with the predominantly Moslem Comoros, which gained independence in 1975.

At the 39th General Assembly, the Mayotte question was considered in plenary December 11. Following speeches by several delegations, a vote was taken on a draft resolution, which reaffirmed the sovereignty of the Comoros over Mayotte; called for the "translation into practice" of the willingness expressed by the French President to see a just solution; and urged France to open negotiations with the Comoros with a view toward returning Mayotte to the islands. The resolution, similar to a resolution adopted in 1983, was adopted by a vote of 122 to 1, (France), with 21 (U.S.) abstentions. (Resolution 39/48.)

## MALAGASY ISLANDS

The question of the Islands of Glorieuses, Juan de Nova, Europa, and Bassas de India has been on the agenda since the General Assembly's 34th session. The islands, off the coast of Madagascar, were uninhabited when France discovered and claimed them. Although they remain in French hands, Madagascar also claims them.

In view of the talks currently underway between France and Malagasy authorities, in particular, meetings held in Paris on September 13 and 14, 1984, the Special Political Committee was again asked to postpone consideration of this item. The Committee, on December 3, recommended that the General Assembly include the item in the provisional agenda for its 40th session. On December 14, the General Assembly agreed without a vote to adopt this recommendation. (Decision 39/421.)

## Falkland Islands/Malvinas Question

Title to the Falkland Islands (Malvinas) has been a matter of protracted dispute. The islands lie 250 miles off the southeastern tip of Argentina. The British have held the islands since 1833. Argentina maintains that it inherited a Spanish claim to the islands prior to that date. The 1982 war between the two countries that began with an Argentine invasion merely exacerbated the dispute. The British have said that they are willing to discuss the normalization of relations with the Argentines but maintain that the question of sovereignty is not negotiable. They firmly insist that the interests of the 1,800 islanders must be taken into account in determining the future of the islands. The Argentines have never declared an end to the 1982 hostilities, but the subsequently elected Alfonsín government has stated publicly that it will use only peaceful means in attempting to regain the islands. Argentina insists that it is prepared to negotiate with the United Kingdom but that sovereignty must be on the agenda.

After an exchange of communications early last year through Swiss and Brazilian mediators, the British and Argentines undertook direct talks in Bern in July. The talks broke down after a few hours when the two sides were unable to agree on how to handle the sovereignty question.

In 1984 the General Assembly discussed the continuing dispute. On November 1 it adopted by a vote of 89 (Argentina, U.S.) to 9 (U.K.), with 54 abstentions, a resolution substantively the same as the one adopted in 1983. It regretted the lack of progress in resolving the problem; took into account the *de facto* cessation of hostilities and the intention of the parties not to renew them; and called on both Argentina and the United Kingdom to resume negotiations to find "as



soon as possible a peaceful solution to the sovereignty dispute." (Resolution 39/6.) The United States did not speak in this debate.

In explaining its opposition to the resolution, the United Kingdom noted that Argentina refused to declare a *de jure* cessation of hostilities and had rejected the British offer to restore normal relations. More importantly, the resolution, by referring to a "sovereignty dispute," prejudged the outcome of the dispute, ignoring the right of the inhabitants of the islands to choose their own future.

The Fourth Committee adopted no resolution on the Falklands/Malvinas question but during the plenary debate held hearings at which petitioners currently residing on the islands spoke.

## **Situation in Central America**

### **SECURITY COUNCIL CONSIDERATION**

At Nicaraguan instigation, the Security Council met seven times in 1984—February 3, March 30, April 2–4, September 7, and November 9—to consider the situation in Central America. At these meetings, Nicaragua presented variations on its standard anti-U.S. litany concerning alleged covert and overt threats against the Sandinista regime.

Representatives of the Nicaraguan, Honduran, and U.S. Governments engaged in debate over the Nicaraguan allegations during the February and March meetings. Nicaragua specifically complained of alleged penetration of its airspace by Honduran military aircraft which "could be the precursors of a war between Honduras and Nicaragua provoked by the United States to justify intervention." The U.S. Representative, Ambassador Charles M. Lichenstein, dismissed this charge by reiterating that the U.S. Government had not engaged in aggression against Nicaragua and had no plans to do so. He added that when the Sandanista regime began to fulfill its own promises to its people, his government did not doubt that peace, reconciliation, and good neighborliness would be restored in Central America. At that time, the government and people of the United States would do all in their power to play a full role in encouraging that process.

Following 3 days of debate in April, in which representatives from many countries participated, Nicaragua tabled a draft resolution attempting to boil all the problems of the region down to alleged U.S. aggression against Nicaragua in the form of mining of its harbors. The United States vetoed that resolution on April 4, 1984. In explaining the U.S. position, Ambassador José Sorzano indicated that it was seriously unbalanced; failed to address the problems of the region as a whole; and did not advance the cause of peace. "In an area



rent by violence, it expresses concern about only one kind of violence and against only one target . . . . In voting against this resolution, we reaffirm our commitment to peace in Central America, to regional negotiations leading to regional settlements, to the demilitarization of the region, to the mutual respect for sovereignty and secure borders, the withdrawal of all foreign military personnel, respect for the rule of law, and the establishment of democratic institutions based on free, periodic elections."

Nicaragua called "urgent" Security Council meetings in September and November but did not attempt to table any further resolutions. At the September meeting, Ambassador Sorzano said that the familiar Nicaraguan pattern of running to the Security Council at crucial junctures in the negotiating process was in fact a tactic designed to deflect attention from Sandinista reluctance to negotiate in good faith and settle their problems with their Central American neighbors. At the November meeting, Ambassador Richard Schifter called attention to the fact that such meetings constituted a misuse of the Security Council, since no emergency requiring immediate action existed or was presented by the Nicaraguans.

## GENERAL ASSEMBLY CONSIDERATION

The outcome of the 39th General Assembly debate on Central America was highly favorable to the regional peace efforts which the United States supports. A balanced resolution (39/4) sponsored by the Contadora Group, recognizing the primacy of the Contadora process, was adopted by consensus on October 26, following 2 days of debate which attracted over 60 speakers. In his statement before the Assembly, Ambassador Sorzano applauded the efforts of the nine countries participating in the Contadora process, noting their determination to continue their efforts to achieve a document reflecting the views and needs of all the countries in the region. He added that U.S. support for diplomatic efforts to achieve an effective and lasting peace in Central America has been strong and consistent and continues undiminished. He said that President Reagan authoritatively set forth our diplomatic policy towards the region when he addressed a joint session of the U.S. Congress in April 1983. At that time, the President identified four objectives which the United States would support: (1) any agreement among Central American countries for the withdrawal—under fully verifiable and reciprocal conditions—of foreign military and security advisers and troops; (2) help to any opposition groups who would join the political process in all countries and compete by ballots instead of bullets; (3) any verifiable, reciprocal agreements among Central American countries on the renunciation of support for insurgencies on neighbors' territory; and (4) help to Central America and its costly arms race and

the support of any verifiable, reciprocal agreements on the non-importation of offensive weapons.

Ambassador Sorzano went on to say that "the United States regards the Contadora process as offering the most appropriate forum and the best hope for achieving a verifiable and comprehensive solution to the problems of the region. It is a regional effort to solve a regional problem . . . . As that negotiating process now goes forward, our support continues undiminished."

Strenuous efforts by Nicaragua to have a second (anti-U.S.) resolution adopted did not meet with success. Despite attempts to modify or merge their draft resolution, the Nicaraguans failed to obtain broad-based support and had to postpone a vote on their resolution indefinitely.

## Cyprus

Following the November 15, 1983 declaration of statehood by the Turkish Cypriot community, the Secretary General, in the exercise of his good offices role, in 1984 intensified his efforts to find a solution to the Cyprus problem.

Events included the January 2 announcement by the Government of Turkey of intentions to remove 1,500 troops from Cyprus, and by Turkish Cypriot leader Denktash of a series of "goodwill" measures designed to settle some outstanding issues between the communities. Included among these were proposals to turn over the city of Varosha and the Nicosia airport to UN administration and reactivation of the Committee on Missing Persons. On April 17, the Turkish Cypriot "state" and the Government of Turkey announced the formal exchange of ambassadors. This action prompted Security Council passage of resolution 550 (1984), by a vote of 13 to 1 (Pakistan), with 1 (U.S.) abstention on May 11, which condemned several actions taken by the Turkish Cypriot community. The United States abstained in the vote on this resolution, believing the language unlikely to contribute to a negotiated settlement.

Speaking in explanation of the vote, Warren Clark, the U.S. Representative, reiterated U.S. opposition to the Turkish Cypriot community's exercise of "statehood" and U.S. determination to see progress made under the aegis of the Secretary General.

On June 15 and on December 15, the Security Council renewed the mandate of the UN Peacekeeping Forces in Cyprus (UNIFCYP), each time for an additional 6 months. Resolutions 553 (1984) and 559 (1984).) On each occasion the Turkish Cypriot community informed the Security Council of its inability to accept the terms of the mandate renewals but indicated that cooperation with the UN forces on the same basis as announced in 1983 would continue.

Intensive diplomatic activity involving direct meetings between UN officials and representatives of the two communities were conducted in an effort to find common ground for progress. These climaxed in meetings in Vienna on August 6 and 7, in which the two communities agreed to enter into proximity talks in New York under the auspices of the Secretary General. Proximity talks were held in New York in mid-September, October, and December. The Secretary General announced at the conclusion of the third session, on December 12, that the differences between the parties' positions had been narrowed sufficiently to permit the scheduling of a summit meeting. President Kyprianou and Turkish Cypriot leader Denktash met January 17-20 in New York but were unable to conclude an agreement containing the elements necessary for a solution to the Cyprus problem. While a great deal remains to be done, this summit was a positive step.

Throughout the year various U.S. officials met with many Cypriot, Turkish, and Greek officials to underline the continuing determination of the United States to promote a favorable and enduring solution to the Cyprus question. In all instances, the United States urged flexibility in reacting to any opportunities for progress.

During the 39th session of the General Assembly in the fall of 1984, the plenary Assembly approved the recommendation of the General Committee that the subject of Cyprus be left open at the session but that the item should be retained on the agenda. This was done, but there was no General Assembly action on Cyprus at the 39th session.

## **DISARMAMENT AND ARMS CONTROL**

### **Disarmament Commission**

The UN Disarmament Commission, which had lapsed into disuse during the 1960's and 1970's, was reconstituted in 1978 by the first special session of the General Assembly devoted to disarmament in order to provide the United Nations with a "deliberative" body on disarmament as opposed to the Conference on Disarmament—which is a multilateral "negotiating" body. Unlike the Conference on Disarmament, which operates according to its own Rules of Procedure, the Commission is subordinate to the General Assembly, consists of all UN members, and has operated to date on the principle of consensus.

In 1984 the Commission met at UN Headquarters in New York from May 7 to June 1. In order to facilitate the development of specific recommendations where appropriate and possible, the Commission conducts most of its work through working groups established at the



outset of each session. In 1984 working groups were established to address confidence-building measures, reduction of military budgets, the relationship between disarmament and development, and the question of South Africa's nuclear capability. Issues under the agenda item on nuclear and conventional disarmament were discussed in a contact group of the Commission's Committee of the Whole.

The working group, established to develop guidelines for the implementation of confidence-building measures on a global basis, continued its work commenced in 1983. Unfortunately, despite extensive debate and an emerging consensus on some sections of the guidelines, the working group did not fully complete its work. It did, however, reach consensus on several important individual recommendations, including a recommendation that all UN member states be fully aware of the importance of confidence-building measures and a recommendation that the General Assembly urge all states to consider the widest possible use of confidence-building measures in their international relations. The United States attaches importance to this question, has undertaken a series of initiatives in this area, and hopes that progress achieved so far will lead to successful conclusion of this work.

In the Working Group's consideration of reduction of military budgets, the United States continued to advocate the submission by all states of complete military data as a step that would promote the goals of realistic comparison and verification, which, in turn, would enhance mutual confidence among participating states. In the Commission's continued work on this matter, fundamental differences in positions remained, and it was unable to reach agreement on a concrete set of recommendations. The prospects for success would be enhanced if all would accept as fundamentals open reporting and transparency.

A final consensus concerning the question of the nuclear capability of South Africa eluded the Commission again, although some progress toward a common understanding was made. The United States remains willing to address this question and believes prospects for a successful outcome would be enhanced if work focused on demonstrable facts rather than attempts to crown speculation as fact.

The Commission also addressed the relationship between disarmament and development. Although no definitive conclusions were reached, the Commission's work has laid the groundwork for further consideration of this question.

Although the contact group to address questions relating to agenda item four on nuclear and conventional disarmament identified some recommendations that were generally acceptable, it was unable to reach consensus on a concrete set of recommendations. The contact



group recommended that the Commission continue its work on this issue at its 1985 session.

The report of the proceedings of the Disarmament Commission were submitted to the 39th General Assembly, where a resolution on the report of the Disarmament Commission was adopted without a vote. (Resolution 39/148 R.) That resolution, *inter alia*, noted that the Disarmament Commission had yet to conclude consideration of some items on its agenda; requested the Commission to continue its work according to its mandate; and, to that end, to make every effort to achieve specific recommendations at its next substantive session to take place during a period not exceeding 4 weeks during 1985. The resolution also requested the Secretary General to transmit to the Disarmament Commission the report of the Conference on Disarmament, together with all the official records of the 39th session of the General Assembly relating to disarmament matters, and to render all necessary assistance.

## Conference on Disarmament .

The Conference on Disarmament (CD), known until 1984 as the Committee on Disarmament, is the principal forum established by the international community for the negotiation of multilateral arms control and disarmament agreements. It has 40 members,<sup>4</sup> which include the five nuclear-weapon states. The Committee evolved from the 31-member Conference of the Committee on Disarmament, which met from 1969 to 1978, and the earlier Eighteen-Nation Disarmament Committee (ENDC), which existed from 1961 to 1969. The ENDC, in turn, was an outgrowth of a 10-nation committee and of previous less formal, consultative groups involving mainly the major powers.

The CD is an autonomous body with its own Rules of Procedure. It is linked, however, to the United Nations through a personal representative of the Secretary General who serves as Secretary General of the Conference. The United Nations also provides administrative support to the Conference through its regular budget. The Conference reports annually on its activities to the General Assembly, and resolutions adopted by the Assembly frequently request the Conference to consider specific disarmament matters.

The CD meets each year in a two-part session. In 1984 the Conference was in session from February 7 to April 27 and from

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<sup>4</sup>The Conference members are: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.

June 12 to August 31. The U.S. Representative to the Conference was Ambassador Louis G. Fields, Jr., who headed a delegation of officials drawn from the Arms Control and Disarmament Agency; the Departments of State, Defense, and Energy; and the Office of the Joint Chiefs of Staff.

During its 1984 session, the Conference held 49 formal plenary meetings and 50 informal meetings. The Conference's Rules of Procedure provide that non-member states may, on request, submit papers and make statements at formal plenary meetings, as well as meetings of subsidiary bodies of the Conference. Accordingly, during 1984 a number of non-member states also participated in various Conference activities.

The Conference addressed a wide range of disarmament issues during 1984. Those items receiving the most attention were: chemical weapons; nuclear test ban; nuclear disarmament and the prevention of nuclear war, including all related matters; security guarantees to non-nuclear weapon states; new weapons of mass destruction and radiological weapons; and outer space arms control.

As in the past, the Conference formed *ad hoc* committees (known prior to 1984 as "*ad hoc* working groups") to work on some of the specific issues. Four such *ad hoc* committees were reestablished from the 1983 session. These were the committees on chemical weapons, radiological weapons, security assurances to non-nuclear-weapon states, and on the development of a comprehensive program of disarmament.

Of particular interest during the 1984 session was the continued, and intensified, work on a chemical weapons ban. During the chemical weapons negotiations, the second visit of Vice President Bush to the Conference on Disarmament underscored the continued U.S. commitment to the achievement of a comprehensive ban on chemical weapons with the tabling of a draft convention to that end. In his statement on April 18, 1984, Vice President Bush said:

The President asked me to come here again this year to stress the urgency of this issue. He believes that we must do all we can to eliminate the existing stocks of chemical weapons and the facilities that produce them. He wants to ensure that such weapons will never be developed or used again. Now, to that end, the President has asked me to present to this Conference today the United States draft text of a comprehensive treaty banning chemical weapons....

## **AD HOC COMMITTEES**

### **Chemical Weapons**

The Conference's *Ad Hoc* Committee on Chemical Weapons continued the work of its 1983 session during a brief session held during January prior to the convening of the 1984 Conference on

Disarmament session. In February of 1984, the Conference decided to reestablish an *ad hoc* subsidiary body on chemical weapons with a new mandate to, *inter alia*, "start the full and complete process of negotiations, developing and working out the convention, except for its final drafting, taking into account all existing proposals and drafts as well as future initiatives with a view to giving the Conference a possibility to achieve an agreement as soon as possible."

The work of the *Ad Hoc* Committee on Chemical Weapons was carried out in three working groups, each of which dealt with one of the following issues: scope and definitions, compliance and complaint mechanism, and declaration and elimination of stockpiles. In addition, issues related to a prohibition of use of chemical weapons and the structure of the Convention were dealt with in informal consultations. The results of this work, to include preliminary draft articles or parts thereof, were annexed to the final report. The final report recommended, *inter alia*, that this annex (I) be used for further negotiation and drafting of the Convention; that the 1984 chemical weapons work resume for a short session in January of 1985; and that the work on a chemical weapons ban in the 1985 Conference session begin immediately after the 1985 session convenes, and not later than the end of the second week of that session.

### Radiological Weapons

The *Ad Hoc* Committee on Radiological Weapons was reestablished in 1984 and continued its substantive examination of issues dealing specifically with the details of negotiating a radiological weapons treaty and questions relating to prohibition of attacks against nuclear facilities. Differences over the relationships between these two issues were discussed, but no conclusions were reached. The *Ad Hoc* Committee recommended that the Conference reestablish the Committee at the beginning of its 1985 session.

### Comprehensive Program of Disarmament

The CD reestablished the *Ad Hoc* Committee on the Comprehensive Program of Disarmament (CPD) "to renew, as soon as the circumstances were propitious for that purpose, its work on the elaboration of the program . . ." The *Ad Hoc* Committee held only two meetings, it having been agreed that "present circumstances were not conducive to making progress . . . and that, therefore, it would not be fruitful to pursue the elaboration of the Comprehensive Program of Disarmament." In adopting its report to the Conference, the *Ad Hoc* Committee expressed the hope that circumstances will allow for resumption of negotiations during 1985.



## Negative Security Assurances

This *Ad Hoc* Committee, reestablished each year of the CD since 1979 to consider international arrangements to assure the non-nuclear-weapon states against the use, or threat of use, of nuclear weapons against them, was reestablished once again during the 1984 session of the CD. The five nuclear-weapons states have offered unilateral assurances to the non-nuclear-weapons states, and the U.S. assurance, first offered in 1978, has been since reaffirmed and stands as a reliable statement of U.S. policy.

Nonetheless, the Conference has made little progress on this issue. In its 1984 report to the General Assembly, the CD noted that "... specific difficulties relating to differing perceptions of security interests" combined with "the complex nature of the issues involved continued to prevent agreement." The *Ad Hoc* Committee recommended to the Conference that "ways and means should continue to be explored to overcome the difficulties encountered . . ." and that the *Ad Hoc* Committee be reestablished "at the beginning of the 1985 session on the understanding that consultations will be pursued to determine the most appropriate course of action, including the resumption of the activities of the *Ad Hoc* Committee itself."

## Other Issues

In addition to the work of the *Ad Hoc* Committees, the Conference addressed other issues on its agenda, including the following.

## Institutional Questions

As a result of decisions taken during the 1983 session of the Committee on Disarmament, its redesignation as "Conference on Disarmament" became effective on February 7, 1984. Concomitant with this change in designation, several other designation changes were also made, to wit: the Chairman was redesignated as the President; the Secretary was redesignated as the Secretary General; and the Deputy Secretary was redesignated as the Deputy Secretary General. These changes in designation were made with the understanding that they had no financial or structural implications.

In connection with these changes, the Conference also decided that subsidiary bodies reestablished directed under respective agenda items would be designated as "*Ad Hoc* Committees" (vice *Ad Hoc* Working Groups) unless the Conference decided otherwise. It was also agreed that this change in designation had no financial or structural implications, implied no change in the working procedures of the Conference or in its Rules of Procedure, and it had no bearing on the views of members of the Conference on the substance of matters under consideration.



In 1983 the Conference accepted in principle a limited expansion in its membership. A number of nonmember countries submitted requests for membership, as follows, in chronological order: Norway, Finland, Austria, Turkey, Senegal, Bangladesh, Spain, Vietnam, Ireland, Tunisia, Ecuador, Cameroon, and Greece. Consultations on expanding CD membership were held, but no decision was taken. The CD agreed to continue such consultations during its 1985 session "with a view to taking a positive decision . . ."

The CD held a series of three informal meetings to consider various proposals relating to the improved and effective functioning of the Conference. It was understood that consideration of these ideas will continue at the 1985 session.

### **Nuclear Test Ban**

As is customary, the agenda item on "nuclear test ban" was considered in plenary. In addition, a number of informal consultations and meetings were held in an attempt to find a basis to continue work on this item in a subsidiary body of the Conference. While all could support the reestablishment of such a subsidiary body, there was no agreement on the terms of reference; thus no subsidiary body was established.

There were several proposals on the table to establish an *Ad Hoc* Committee under the agenda item Nuclear Test Ban. The United States was a cosponsor of a proposal put forward by a number of Western States that such a Committee be established to resume its substantive examination of specific issues relating to such a ban, including the issues of scope, verification, and compliance. Proposals made by others called for immediate negotiation of a nuclear test ban. The United States and others argued that the Conference had not completed the work commenced in the previous *Ad Hoc* Working Group and that that work should be completed prior to considering changing the focus of the CD's work.

### **Prevention of Nuclear War, Including All Related Matters**

This subject had been added to the CD's agenda in 1983, and in 1984 the CD agreed to accord it a separate place on the CD agenda. A wide range of views were expressed in plenary consideration of this issue. In addition, a number of informal consultations were held to determine how the Conference might best treat this item. While all members agreed upon the importance of the question, issues that had plagued the CD's substantive consideration of this item at the 1983 session persisted. There was thus no agreement on a procedure for a structured examination of the issue. Despite the fact that importance was attributed to the subject, a number of delegations put form over

substance, would not agree to a structured informal discussion, and insisted upon nothing less than the establishment of an *Ad Hoc* Committee under this item.

## Outer Space Arms Control

This item, as with other items, was considered extensively during CD plenary meetings. All delegations had agreed in principle to the establishment of an *ad hoc* subsidiary body under this agenda item, and a number of consultations were held with a view to achieving consensus on a mandate for such a subsidiary body. Mandates proposed by the Group of Socialist States and by the Group of 21 (neutral/non-aligned)<sup>5</sup> called for negotiations in the CD to prevent an arms race in outer space. The Western Group, on the other hand, pointed out that a review of substantive issues related to the question was necessary in order to determine what steps may be required. No consensus was reached at the 1984 session on how to handle this subject in the CD.

## General Assembly Consideration of Conference Report

On November 12 a draft resolution on the "Report of the Conference on Disarmament" was introduced in the First Committee of the General Assembly by Yugoslavia on behalf of 25 other countries, including most of the Group of 21. The draft, *inter alia*, deplored the fact that, despite repeated requests of the General Assembly and the expressed wish of the great majority of members of the Conference on Disarmament, the establishment of an *ad hoc* committee on the cessation of the nuclear-arms race and on nuclear disarmament was once again prevented during the session in 1984. It also called upon the Conference to organize its work in such a way as to concentrate most of its attention and time on substantive negotiations on priority issues of disarmament, and called upon those members of the Conference that have opposed the negotiations on substantive issues of disarmament to enable the Conference, by adopting a positive stand, to fulfill effectively the mandate that the international community has entrusted to it in the field of negotiations on disarmament. The draft was approved in Committee by a vote of 113 to 1 (U.S.), with 19 abstentions, and adopted by the plenary Assembly on December 17 by a vote of 123 to 1 (U.S.), with 7 abstentions. (Resolution 39/148 N.)

Speaking in Committee after the vote, the U.S. Representative,

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<sup>5</sup>Members of the Group of 21 are: Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia, and Zaire.

David Emery, Deputy Director of the U.S. Arms Control and Disarmament Agency, said that a year ago his delegation had noted the gradual shift, over several Assembly sessions, in the language of the resolution, which, like the report of the Conference on Disarmament itself, should logically be drafted with a view to adoption by consensus. Instead, the authors of the draft resolution have sought in recent years increasingly to discount the views of some members of the Conference on Disarmament. It has pleased them instead to reflect the most extreme view of what the Conference on Disarmament can and should attempt to accomplish, and then castigate by inference any and all who hold other views. How this will increase the prospects for sound and solid progress in the Conference on Disarmament, one apparently is not expected to ask or understand.

Despite appeals by his delegation that the draft resolution on the report of the Conference on Disarmament be framed in a spirit of cooperation and with a view to achieving genuine disarmament steps, this year's text, regrettably, gave no cause for optimism that proponents of confrontation have weakened their grip over it. Accordingly, the United States voted against the draft resolution and, at the same time, hopes that next year more moderate attitudes will prevail when drafting a similar resolution.

## **General Assembly**

Although the UN Charter adopted in 1945 gave no immediate priority to disarmament, it envisaged a system of regulation that would ensure "the least diversion for armaments of the world's human and economic resources."

The advent of nuclear weapons came only weeks after the signing of the UN Charter and provided immediate impetus to concepts of arms limitation and disarmament. In fact, the first resolution of the first meeting of the General Assembly (January 24, 1946) was entitled "The Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy," and called upon the Commission to make specific proposals for "the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction."

Since the early years of the United Nations, great power disagreement has severely hampered efforts to promote arms control and disarmament within the UN system. However, the United Nations has undertaken continuing efforts to develop organizational machinery that can effectively address disarmament issues.

In mid-October of each year, the First Committee of the General Assembly convenes to consider arms control and disarmament matters. The Committee holds general debates, adopts resolutions



regarding issues on its agenda, and forwards them to the General Assembly for further action.

During its 1984 session, the Committee adopted a total of 71 resolutions, all related in some way to the goal of disarmament. These resolutions addressed such subjects as recognition of established treaty regimes and calls for their universalization, the establishment of studies to investigate current disarmament questions, consideration of relevant reports prepared for General Assembly consideration, adoption of institutional and/or symbolic measures to encourage progress, and the identification of specific disarmament goals for the international community.

Examples of the first category are resolutions 39/56 and 39/151 A concerning the "Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" and the "Review Conference of the Parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques," respectively. Resolution 39/56 was adopted without a vote and 39/151 A was adopted by a vote of 136(U.S.) to 0, with 4 abstentions.

The Committee also adopted several resolutions and one decision to recognize, establish, or extend UN studies. These actions, subjects, and votes included: Unilateral nuclear disarmament measures, adopted by a vote of 126 to 1 (U.S.), with 13 abstentions, 39/148 A; Nuclear-weapon-free zones, adopted 143 to 0, with 2 abstentions (U.S.), 39/151 B; Conventional disarmament, adopted without a vote, 39/151 C; Military research and development, adopted 141 to 1 (U.S.), with 5 abstentions, 39/151 F; and a decision entitled, "Deterrence, its implication for disarmament and the arms race, negotiated arms reductions and international security and other related matters." The vote on this decision was 145 to 1 (U.S.), with 0 abstentions. (Decision 39/423.) U.S. lack of support for studies is generally a reflection of the U.S. policy of restraining growth in the UN budget. The United States did, however, have substantive objections to the Unilateral Disarmament initiative as it tends to shift the focus from the need for negotiated agreements, and to the Military Research and Development Study, since it would tend to be unbalanced, as a result of lack of information on non-Western R and D activities. Apart for concern for its cost, the United States favored the study on deterrence and will participate in it.

The Committee also adopted, without a vote, several resolutions intended to encourage international disarmament measures by focusing attention on the general questions involved, or on the institutional mechanisms available to the world community. (Resolutions 39/63 F, 39/63 I, 39/148 Q, 39/150, and 39/151 G.) These



resolutions addressed, respectively, regional disarmament measures, resolution 39/63 F; the convening of a third special session on disarmament, resolution 39/63 I; a review of the decade of the 1980's as the second disarmament decade, resolution 39/148 Q; the role of the UN in disarmament, resolution 39/150; and the convening, under proper conditions, of a World Disarmament Conference, resolution 39/151 G.

There were similar resolutions adopted by recorded vote which focused on: (1) disarmament and international security, 128 to 0, with 19 (U.S.) abstentions—resolution 39/63 K; (2) Disarmament Week, 124 to 0, with 19 (U.S.) abstentions—resolution 39/148 J; (3) rights of states not members of the Conference on Disarmament to participate in work of the plenary sessions of the Conference on substantive questions, 120 to 0, with 18 (U.S.) abstentions—resolution 148 L; (4) work of the Conference on Disarmament and the Disarmament Commission, 127 to 11, with 7 (U.S.) abstentions—resolution 148 to 0; and (5) the contribution of UN specialized agencies, 109 to 18 (U.S.), with 14 abstentions—resolution 39/151 E. The United States was unable to support these resolutions, at least in part, due to their overly pessimistic tone—resolution 39/63 K; their unbalanced nature—resolution 39/148 J; their tendency to assert authority over autonomous organizations—resolutions 39/148 L and 39/148 O; or their stated goal of politicizing technical agencies—resolution 39/151 E.

Two resolutions were aimed at specific disarmament goals and were opposed due to their unbalanced nature. They addressed the naval arms race, resolution 39/151 I, adopted by a vote of 70 to 19 (U.S.), with 53 abstentions, and the prohibition of the nuclear neutron weapon, resolution 39/148 E, adopted by a vote of 71 to 11 (U.S.), with 53 abstentions.

In addition, the Committee adopted a number of resolutions of special significance, and they are treated in greater detail below.

## **DISARMAMENT AND DEVELOPMENT**

As proposed by the five Nordic states, the first special session on disarmament (SSOD I) called for a UN study on the relationship between disarmament and development. A report was completed in 1981 and was later referred to SSOD II. Since SSOD II took no action on it, the report was passed on to the 37th General Assembly, 1982. At that session, Sweden sponsored resolution 37/84, which recommended that the UN Institute for Disarmament Research undertake an investigation on the modalities for an international disarmament fund, and in doing so, consult with other relevant international institutions. The U.S. supported the resolution, which passed by a vote of 136 to 0, with 10 abstentions. (Warsaw Pact countries).

At the 38th General Assembly, President Mitterrand of France took the initiative in proposing resolution 38/71 B—which invited states to submit views on the question of disarmament and development; placed the issue on the UN Disarmament Commission's 1984 agenda; and asked it to report to the 39th General Assembly.

On November 12, France, on behalf of 33 cosponsors, introduced a draft resolution which took note of the report of the Disarmament Commission and decided to convene an international conference on the subject, to be preceded by thorough preparation and to take decision by consensus. The purposes of the conference have been identified as: (1) the review of the relationship between disarmament and development in all its aspects and dimensions, with a view reaching appropriate conclusions; (2) to undertake an examination of the implications of the level and magnitude of the continuing military expenditures, in particular, those of nuclear-weapons states and other militarily important states for the world economy and the international economic and social situation, particularly for developing countries and to make recommendations for remedial measures; and (3) to consider ways and means of releasing additional resources, through disarmament measures, for development purposes, in particular, in favor of developing countries.

The resolution established a 54-member preparatory committee to formulate and submit recommendations as to provisional agenda, procedure, and place, date, and duration of the conference. The draft was approved in Committee on November 21 and adopted by the plenary Assembly on December 17, in both instances without a vote. (Resolution 39/160.)

## **REDUCTION OF MILITARY BUDGETS**

The 39th General Assembly, as in several previous years, adopted two resolutions concerning reduction of military budgets on December 12.

Romania introduced a resolution in the First Committee on November 9 on behalf of several neutral, non-aligned, and Western countries. The draft resolution reaffirmed concern over ever-growing military expenditures and appealed to all states, pending the conclusion of agreements on the reduction of military expenditures, "to exercise self-restraint in their military expenditures with a view to reallocation of the funds thus saved to economic and social development." As in similar previous resolutions, the resolution called on the UN Disarmament Commission to continue its efforts to agree on a set of principles that would guide the actions of states in reaching agreements on the reduction of military budgets.

The Committee approved this draft resolution on November 19 without a vote, and it was similarly adopted in the plenary Assembly. (Resolution 39/64 A.)

On November 14 Sweden introduced the second resolution with the cosponsorship of several other neutral/non-aligned countries. Paralleling resolutions adopted in previous Assemblies, this resolution, *inter alia*, (1) reiterated the widespread concern over the arms race and tendencies to increase further the rate of growth of military expenditures; (2) emphasized the need for reductions to be carried out on a mutually agreed basis without detriment to the national security of any country; and (3) stressed the need for more states to report their military expenditures to the United Nations, using the standardized reporting method developed by a UN Group of Experts. Finally, the resolution provided for further meetings of the Group of Experts on the Reduction of Military Budgets to complete a study of the means of comparing military expenditure data. The United States provides an expert to this exercise.

On November 19 the Committee approved this draft resolution by a recorded vote of 100 (U.S.) to 14, with 7 abstentions, and the plenary Assembly adopted it by a recorded vote of 114 (U.S.) to 16, with 7 abstentions. (Resolution 39/64 B.)

## CHEMICAL AND BIOLOGICAL WEAPONS

At its 39th Session on December 12 the General Assembly adopted five separate resolutions on the subject of chemical and biological weapons. Reflecting widespread concern about reports of the use of such weapons, the United States introduced a draft resolution in the First Committee on November 12. After noting reports of the use of such weapons, the resolution called for "the strict observance of existing international obligations regarding prohibitions on chemical and biological weapons" and condemned actions that contravened them. The resolution also urged the Conference on Disarmament to accelerate negotiations on a chemical weapons ban. In introducing this resolution, the U.S. Representative, David Emery (Deputy Director of ACDA), noted that after decades of effort to prohibit the use of chemical weapons, they had been used and remained a threat, especially against peoples and nations without defenses or effective means to retaliate. The world, he said, "must act and must not become hardened to such inhumane acts." He called for joint action to ensure adherence to existing obligations and to achieve a ban on all chemical weapons.

The U.S. draft, which was eventually cosponsored by 16 other members, was approved in the First Committee on November 21 by a vote of 99 (U.S.) to 14, with 13 abstentions. The Soviet Union and most of its allies voted against this resolution both in Committee and



in the plenary Assembly where it was adopted by a vote of 118 (U.S.) to 16, with 14 abstentions. (Resolution 39/65 A.)

Also demonstrating concern over the use of chemical weapons was a draft resolution introduced by France and 12 others in the First Committee on November 15. It recalled a resolution adopted at the 37th General Assembly which requested the Secretary General to establish a permanent mechanism for investigating reports of possible violations of the 1925 Geneva Protocol and noted with satisfaction that the provisions to implement that resolution were now complete. The draft was approved by the Committee on November 21 by a recorded vote of 83 (U.S.) to 17, with 30 abstentions. The Soviet Union and most of its allies voted against this resolution too. It was adopted by the plenary Assembly by a vote of 87 (U.S.) to 18, with 30 abstentions. (Resolution 39/65 E.)

Two other resolutions on chemical weapons were adopted which urged intensification of the negotiations on a chemical weapons ban in the Conference on Disarmament. One, introduced by the German Democratic Republic and sponsored by 12 others, was approved in the First Committee on November 21 by a vote of 75 to 1 (U.S.), with 51 abstentions, and in the General Assembly by a vote of 84 to 1 (U.S.), with 62 abstentions. The preambular language of this resolution was framed for maximum propaganda effect, as it expressed "profound concern at the intended production and deployment of binary chemical weapons" and reaffirmed its call to states to refrain specifically from the production and deployment of such weapons. (Resolution 39/65 B.)

A draft resolution, introduced on November 15 by Poland on behalf of 19 cosponsors, was similar to ones adopted by consensus over the past several years. It urged the Conference on Disarmament to intensify negotiations with a view to the final elaboration of a convention at the earliest possible date and was adopted without a vote in both the First Committee and the plenary Assembly. (Resolution 39/65 C.)

Finally, Norway, representing 48 parties to the Biological Weapons Convention, including the United States, introduced on November 9 a resolution noting that a second Review Conference of States Parties would be held in 1986 and requesting the Secretary General to render necessary assistance. The resolution was adopted by the First Committee on November 21 and by the plenary Assembly on December 12, in both cases without a vote. (Resolution 39/65 D.)

### **COMPREHENSIVE TEST BAN (CTB)**

At the 38th General Assembly three draft resolutions were introduced on the question of a nuclear test ban. The first resolution, 38/62, introduced by Mexico, reiterated its concern that nuclear-weapon testing continued unabated; reaffirmed its conviction that a



treaty to achieve the prohibition of all nuclear test explosions by all states for all time was a matter of the highest priority; and reiterated its appeal to all members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests. The second resolution, 38/63, introduced by New Zealand and Australia, requested the Conference on Disarmament to resume examining issues relating to a test ban with view to the negotiation of a treaty on the subject. Finally, Hungary introduced resolution 38/72, which urged the Conference on Disarmament to proceed promptly to negotiations, with a view to elaborating a treaty on the prohibition of nuclear weapons as a matter of the highest priority, taking into account all existing drafts and proposals and future initiatives. All of these resolutions were approved by large majorities.

In 1984 three resolutions were again introduced on this subject. Two were presented in the First Committee on November 14 and one on November 15. The plenary Assembly adopted all of them on December 12.

One resolution, introduced by Mexico on behalf of 11 cosponsors, was entitled, "Cessation of all Test Explosions of Nuclear Weapons." It was virtually identical to the resolution introduced by Mexico in the previous Assembly sessions, calling for immediate negotiations of a treaty for the prohibition of all nuclear-weapon tests and for the United States, U.S.S.R., and the United Kingdom to "bring to a halt without delay all nuclear-test explosions." The draft was approved in Committee by a recorded vote of 111 to 2 (U.S.), with 24 abstentions and in the plenary Assembly by a vote of 122 to 3 (U.S.), with 23 abstentions. (Resolution 39/52.)

A second resolution, entitled "Implementation of General Assembly resolution 38/72 on the immediate cessation and prohibition of nuclear-weapon tests," was introduced by Hungary on behalf of 13 cosponsors. Similar to the Hungarian resolution of the previous year, it urged "all states, and especially all nuclear-weapon states, to exert maximum efforts and exercise political will" to conclude a multilateral treaty prohibiting nuclear weapon tests. To this end, the resolution called on the Conference on Disarmament to establish an *ad hoc* Committee with a negotiating mandate. The draft was approved in Committee by a recorded vote of 109 to 2 (U.S.), with 24 abstentions, and in plenary Assembly by a vote of 123 to 2 (U.S.), with 24 abstentions. (Resolution 39/60.)

Australia, on behalf of 25 states, introduced a draft resolution entitled, "Urgent Need for a Comprehensive Nuclear Test-ban Treaty." The draft regretted that the Conference on Disarmament had been unable to reach agreement in 1984 on reestablishing an *ad hoc* Committee on a nuclear test ban. Reaffirming that a treaty

prohibiting nuclear-test explosions was a matter of greatest importance, it urged the Conference on Disarmament to establish a committee on a nuclear test ban "to resume immediately its substantive work relating to a comprehensive test ban, including the issue of scope as well as those of verification and compliance, with a view to the negotiation of a treaty on the subject." The resolution also called for the Conference to take steps to establish an international monitoring network. The Australian draft was approved in Committee by a recorded vote, 109 to 0, with 26 (U.S.) abstentions, and adopted in the plenary Assembly by a vote of 124 to 0, with 24 (U.S.) abstentions. (Resolution 39/53.)

Following the First Committee vote, the U.S. Representative, Donald Lowitz, stated the United States reasons for abstaining on the draft resolution. He noted that the U.S. position on a comprehensive test ban was well known: it remained a long-term objective the United States would pursue within the context of deep and verifiable arms reductions, expanded confidence-building measures, and improved verification capabilities. However, he went on, because the resolution characterized a comprehensive test ban as an "urgent need" and of the "greatest importance," the United States had to abstain, believing the most urgent matter to be "efforts to reduce arsenals of weapons already in existence."

## **Nuclear-Weapon-Free Zones**

The concept of nuclear-weapon-free zones (NWFZ's) dates back to the 1950's and remains today a potentially effective regional approach to non-proliferation.

In general, the United States supports the concept of nuclear-weapon-free zones as a nonproliferation measure when consistent with the following criteria: The initiative for the creation of the nuclear-weapon-free zone should come from the states in the region concerned. All states whose participation is deemed important should participate in the zone. The zone arrangements should provide for adequate verification of compliance with the zone's provisions. The establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security. The zone arrangement should effectively prohibit the parties to it from developing any nuclear explosive device for whatever purpose. The zone arrangement should not seek to impose restrictions on the exercise of rights recognized under international law, particularly the principle of freedom of navigation on the high seas, in international air space, in straits used for international navigation, and the right of innocent passage through territorial seas. The establishment of a zone should not affect the existing rights of its parties under in-

ternational law to grant or deny transit privileges, including port calls and overflight, to other states.

The United States believes that effective NWFZ's negotiated and supported by states of the region can enhance the security of those states, as well as reinforce non-proliferation goals on a regional basis. We believe, moreover, that nuclear-free-zone arrangements must effectively preclude the conduct of any nuclear explosions.

## PROTOCOL I OF THE TREATY OF TLATELOLCO

The most significant NWFZ agreement to date is the Treaty of Tlatelolco,<sup>6</sup> which entered into force in 1968 and by means of two protocols provides for a nuclear-weapon-free zone in Latin America. Protocol I, which is open to adherence by non-Latin American states which administer territory within the over 7.5 million-square-mile area, provides that these states shall not store or deploy nuclear weapons within those territories. Protocol II, which is open to adherence by nuclear-weapon states, provides that these states shall not contribute to acts involving a violation of the Treaty and not use or threaten to use nuclear weapons against the regional states which are party to the Treaty. The United States signed Protocol I in May 1977 and ratified it in November 1981. The United States signed Protocol II in April 1968 and ratified it in May 1971. This Treaty and Additional Protocol I, in particular, have been the subject of a series of UN resolutions urging ratification by all possible states.

On November 9 Mexico introduced a resolution on behalf of 19 other cosponsors concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco). The resolution recognized that there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits derived from the Treaty through its Additional Protocol I, to which the states that *de jure* or *de facto* are internationally responsible for those territories may become parties. Additionally, the resolution recalled that the United Kingdom, the Netherlands, and the United States became parties to Additional Protocol I in 1969, 1971, and 1981, respectively, and again urged France not to delay further its ratification. At its 45th meeting on November 21, the First Committee approved the draft resolution by a recorded vote of 129 (U.S.) to 0, with 9 abstentions, and adopted it in the General Assembly on December 12 by a vote of 139 (U.S.) to 0, with 8 abstentions. (Resolution 39/51.)

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<sup>6</sup>Treaty for the Prohibition of Nuclear Weapons, done at Tlatelolco (Mexico City), February 14, 1967.



Speaking in Committee in explanation of the U.S. vote, Mr. Lowitz stated:

This Treaty on the Latin American nuclear-weapon-free zone continues to be a major contribution to the cause of non-proliferation and presents an example to other regions of the world. The United States became a party to additional Protocol I of the Treaty in 1981. There are, however, countries within the region itself which have not ratified or adhered to the Treaty, although they are not mentioned by name in this draft resolution. The fact that one country is singled out consistently by the sponsors for not having become a full party to the Treaty and its additional instruments continues to be a cause for regret by my Government. Full adherence to the Treaty by all those states in the region would substantially enhance the Treaty's effectiveness in ensuring that Latin America remains a zone free of nuclear weapons.

## AFRICAN NUCLEAR-WEAPON-FREE ZONE

Since 1961 resolutions calling for the establishment of Africa as a nuclear-weapon-free zone have been recurrent. In 1984, two related resolutions were introduced in the First Committee on November 15 by Cameroon on behalf of the Group of African States. The first, entitled "Implementation of the Declaration on the Denuclearization of Africa," *inter alia*: (1) condemned nuclear collaboration with South Africa; (2) called for the termination by any state, corporation, institution, and individual of any form of collaboration with South Africa which enabled it to frustrate the objective of the Declaration on the Denuclearization of Africa; and (3) demanded that South Africa submit its nuclear installations and facilities to IAEA inspection. The resolution further requested the Secretary General to render all necessary assistance that the Organization of African Unity may seek towards the implementation of its solemn Declaration on the Denuclearization of Africa.

The draft resolution was approved by a recorded vote of 132 to 0, with 5 abstentions (U.S.), in the First Committee and on December 12 adopted by the General Assembly by a recorded vote of 147 to 0, with 5 (U.S.) abstentions. (Resolution 39/61 A.)

The second resolution, entitled "Nuclear Capability of South Africa," was approved in the First Committee by a recorded vote of 123 to 4 (U.S.), with 11 abstentions. On December 12 the General Assembly adopted Resolution 39/61B by a recorded vote of 137 to 4 (U.S.), with 11 abstentions. (Resolution 39/61 B.)

This resolution, *inter alia*, condemned all forms of nuclear collaboration by any state, corporation, institution, or individual with the racist regime of South Africa, in particular the decision by some member states to grant licences to several corporations in their territories to provide equipment and technical and maintenance services for nuclear installations in South Africa.



Mr. Lowitz again explained the U.S. votes in Committee. He stated the United States continued to support efforts for a de-nuclearized Africa, if supported by all countries in the region, in the firm belief that an Africa free of nuclear weapons is a worthy goal. However, some of the language in these two drafts compelled the United States to vote at it had. The United States had abstained on the vote on the implementation of the Declaration on the Denuclearization of Africa, since his government could not, in particular, accept as a fact the nuclear capability of South Africa.

As to the draft resolution on the nuclear capability of South Africa, he said that his government could not agree to the call to end all forms of nuclear collaboration with South Africa. He continued by saying, "I would remind the Committee in this regard that the United States does not engage in any military collaboration with South Africa. I would hope that in the future our African colleagues might consider eliminating some of the tendentious language from these resolutions and work for consensus texts."

### **MIDDLE EAST NUCLEAR-WEAPON-FREE ZONE**

Egypt introduced a draft resolution in the First Committee on November 15 entitled, "Establishment of a nuclear-weapon-free zone in the region of the Middle East." The resolution encouraged adherence to the Non-Proliferation Treaty as a method of promoting the establishment of such a zone in the Middle East. It further called for all regional countries to place their nuclear activities under IAEA safeguards and, pending establishment of a zone, invited nuclear-weapon states of the region to refrain from any action counter to the proposal for a nuclear-weapon-free zone in the Middle East. The resolution was approved in the First Committee without a vote and was subsequently adopted in the same manner by the General Assembly on December 12. (Resolution 39/54.)

### **SOUTH ASIAN NUCLEAR-WEAPON-FREE ZONE**

Consistent with its longstanding proposal first submitted in 1974, Pakistan again introduced in the First Committee on November 9 a resolution calling for a South Asian nuclear-weapon-free zone. The resolution, as in previous years, reaffirmed the concept of such a zone and urged continued efforts toward its establishment. Additionally, the resolution requested states in the region to avoid actions contrary to this objective and called for positive actions by nuclear-weapon states and the Secretary General in furtherance of the nuclear-weapon-free zone. The resolution was approved in the First Committee by a vote of 90 (U.S.) to 2, with 43 abstentions, and was then

adopted on December 12 in the General Assembly by a recorded vote of 100 (U.S.) to 3, with 42 abstentions. (Resolution 39/55.)

## Indian Ocean Zone of Peace

In 1971 the 26th General Assembly adopted resolution 2832, which contained a Declaration of the Indian Ocean as a "zone of peace," which, in essence, called for the great powers to remove their naval forces and facilities from the Indian Ocean. Subsequent annual resolutions endorsed the 1971 Declaration and established an *Ad Hoc* Committee on the Indian Ocean<sup>7</sup> to consider its implementation. We have made our reservations about the 1971 terms of reference clear from the beginning of the deliberations concerning the Indian Ocean as a zone of peace.

In 1980 the United States, together with other Permanent Members of the Security Council and major maritime nations, accepted the invitation from littoral and hinterland states to join the *Ad Hoc* Committee. Since that time, we have attempted to point out the anomaly of trying to restrict naval forces in the region while ignoring land-based forces such as those of the Soviet Union now occupying Afghanistan, a country which by definition is a "hinterland" state of the Indian Ocean. We have also consistently opposed the convening of a conference on the Indian Ocean, especially given the Soviet occupation of Afghanistan and the lack of agreement on the basic principles that should govern an Indian Ocean Zone of Peace.

During First Committee consideration of resolution 38/185 on the Indian Ocean Zone of Peace at the 38th General Assembly, the Eastern Bloc called for a rollcall vote on two of its operative paragraphs. The United States deplored this move and its intent, which was "to attack the very underlying principles on which the work of the Committee [had] proceeded," specifically, the consensus procedure which was to govern all work by *Ad Hoc* Committee members on Indian Ocean issues. Because of this procedure, the United States asked that the record reflect it did not participate in this decision either in the First Committee or in the plenary.

During 1984 the United States made clear it would not resume participation in the *Ad Hoc* Committee unless the consensus procedure was reestablished. Following consultation with members, the

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<sup>7</sup>The 48 Committee members in 1984 were Australia, Bangladesh, Bulgaria, Canada, China, Djibouti, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Greece, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Netherlands, Norway, Oman, Pakistan, Panama, Poland, Romania, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Tanzania, Thailand, Uganda, U.S.S.R., United Arab Emirates, United Kingdom, United States, Yemen (Aden), Yemen (Sanaa), Yugoslavia, and Zambia.

Committee Chairman stated during the July session that "all delegations have agreed that decisions in matters affecting the Indian Ocean are taken by consensus." On this understanding, the United States took its seat on the *Ad Hoc* Committee again.

On November 26 Sri Lanka, as Chairman of the *Ad Hoc* Committee, introduced in the First Committee a draft resolution regretting that the Committee had failed to reach consensus on the convening of a conference in 1985. The resolution requested the Committee to make decisive efforts to complete preparatory work on procedural and substantive issues to enable a conference to be convened in the first half of 1986. It also requested the Committee to make determined efforts to harmonize views on the remaining relevant issues. There was no U.S. statement made on this draft resolution, which was approved by consensus in the First Committee on November 28 and adopted in similar manner by the plenary Assembly on December 17. (Resolution 39/149.)

## **New Types of Weapons of Mass Destruction**

As far back as 1948 "weapons of mass destruction" have been defined as nuclear weapons, radiological weapons, chemical and biological weapons, and "any weapons developed in the future which have characteristics comparable in destructive effect."

In 1975, in accordance with its charges that the United States was developing new and ever more dangerous weapons, the Soviet Union tabled a draft treaty in the then Conference of the Committee on Disarmament (CCD) in Geneva to ban new weapons of mass destruction. The Soviets were also the principal sponsors of a resolution in the General Assembly that year calling on the CCD to undertake negotiations on this treaty. The Soviet Union and its allies have continued to call for such negotiations in resolutions presented to the General Assembly each year and in the Conference on Disarmament, the successor to the Conference of the Committee on Disarmament.

The U.S. position, shared by many of its allies, is that for an agreement to be effective and verifiable, it must address specific weapons as they emerge, rather than treat unknown weapons in general terms. A treaty such as the U.S.S.R. proposes would be purely hortatory and would depend solely on good faith, a proposition which the United States and other countries consider unacceptable.

On November 15, the Byelorussian S.S.R., on behalf of 25 other states, introduced a draft resolution on weapons of mass destruction. As in a parallel 1983 resolution, the draft resolution called on the Conference on Disarmament to "intensify negotiations . . . with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass



destruction and new systems of such weapons." In addition, the draft borrowed language from a Byelorussian resolution of the previous year that called on states "to ensure that ultimately scientific and technological achievements may be used solely for peaceful purposes." The First Committee approved the resolution by a vote of 111 to 1 (U.S.), with 24 abstentions. It was subsequently adopted by the Assembly on December 12 by a vote of 125 to 1 (U.S.), with 23 abstentions. (Resolution 39/62.)

## **Nuclear Winter**

During 1984, thanks to the publication of several articles on the subject, international attention had focused on the climatic effects of nuclear war and, in particular, on the possibility that a nuclear exchange could result in significant cooling of the earth or "nuclear winter." In response to these concerns Mexico and seven other members introduced a draft resolution on November 14 entitled "Nuclear Winter." The draft requested the Secretary General to compile studies on the subject and urged states and other organizations to transmit such studies to him. Several Western states, led by Canada and the Federal Republic of Germany, believed that the Mexican resolution prejudiced the outcome of studies underway by assuming that the nuclear winter hypothesis was accurate. They therefore introduced a resolution that was similar in aim, but more balanced in tone, and hoped to arrive at a compromise consensus text. Although Mexico agreed to some amendments, and the Western draft was not put to a vote, some Western members still considered the Mexican draft unbalanced and abstained.

The resolution, now entitled "Climatic Effect of Nuclear War: Nuclear Winter," was approved in the First Committee on November 27 by a vote of 123 to 0, with 10 (U.S.) abstentions and in the Assembly by a vote of 130 to 0, with 11 (U.S.) abstentions. (Resolution 39/148 F.)

## **Non-Use of Nuclear Weapons**

For the seventh time since 1978, India again introduced at the 39th General Assembly on November 15 a resolution on the non-use of nuclear weapons. Its cosponsors included 13 neutral and non-aligned countries as well as Romania. As in the earlier resolutions, this draft declared "that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity" and requested the Conference on Disarmament to begin negotiations on "an international convention prohibiting the use or threat of use of



nuclear weapons under any circumstances." For the third year in a row, the resolution annexed a draft text of an agreement.

The United States based its opposition to the resolution on several grounds: the UN Charter provides no basis for such a declaration; it neither prohibits the use of force in self-defense nor outlaws nuclear weapons for defense or deterrence. In many parts of the world, nuclear weapons are a central part of security arrangements that have maintained peace.

The draft resolution was approved in the First Committee by a vote of 113 to 17 (U.S.), with 5 abstentions, and adopted by the General Assembly on December 12 by a vote of 128 to 17 (U.S.), with 5 abstentions. (Resolution 39/63 H.)

On November 21 Cuba, the German Democratic Republic, and Hungary, subsequently joined by Romania, introduced a resolution, similar to one first tabled in 1982, on the non-use of nuclear weapons and prevention of nuclear war. It noted that two nuclear-weapon states (the U.S.S.R. and China) had made pledges at the second special session of the Assembly in 1981 that they would not be the first to use nuclear weapons and expressed the hope that the other nuclear-weapon states would make similar declarations. As in 1983, the United States, France, and the United Kingdom opposed the resolution, while China abstained. The First Committee approved the resolution by a vote of 95 to 19 (U.S.), with 15 abstentions. The General Assembly adopted it by a vote of 101 to 19 (U.S.), with 17 abstentions. (Resolution 39/148 D.)

## Nuclear Freeze

Three proposals for a freeze on nuclear weapons were again introduced into the General Assembly in 1984, although the issue had receded in prominence from 1982 and 1983.

On November 15, three draft resolutions concerning nuclear freeze were introduced in the First Committee. The first draft, introduced by India, repeated a similar resolution at the 38th General Assembly and called on the nuclear-weapon states to "agree to a freeze on nuclear weapons, which would, *inter alia*, provide for a simultaneous total stoppage of any further production of nuclear weapons and a complete cut-off in the production of fissionable material for weapons purposes." The second, introduced by Mexico and cosponsored by Sweden, Romania, and a number of non-aligned states, called for an initial 5-year agreement between the United States and the Soviet Union to be followed by more comprehensive accords, including other nuclear-weapon states. The initial agreement would include a comprehensive test ban of nuclear weapons and their delivery vehicles, as well as a ban on their further manufacture or deployment.

The third freeze resolution, introduced by the Soviet Union, called for the United States and the U.S.S.R. to freeze their nuclear weapons as an example to other nuclear-weapon states in the context of negotiating "radical reductions of nuclear weapons with a view to their complete elimination as the ultimate goal."

Speaking in explanation of votes on these resolutions, the U.S. Representative, David Emery, said that implementation of a nuclear freeze could damage the U.S. deterrent posture by codifying Soviet military advantages. It would be every bit as difficult to negotiate and could be difficult to verify. The United States thought time would be better spent negotiating deep reductions.

The Indian resolution was approved by the First Committee by a vote of 110 to 12 (U.S.), with 9 abstentions, and by the General Assembly by 127 to 11 (U.S.), with 11 abstentions. (Resolution 39/63 G.) The Mexican resolution was approved by the First Committee by 111 to 12 (U.S.), with 7 abstentions, and by the General Assembly by 123 to 12, with 8 abstentions. (Resolution 39/63 C.) Finally, the Soviet resolution was approved by the First Committee by 95 to 18 (U.S.) with 13 abstentions, and by the General Assembly by 104 to 18 (U.S.), with 18 abstentions. (Resolution 39/151 D.)

## **Prevention of Nuclear War**

Since 1981 non-aligned countries have proposed in the General Assembly resolutions expressing the urgent need to take steps to prevent nuclear war and calling on the Geneva multilateral forum to begin negotiations to that end. At the 39th session Argentina and 18 others tabled a similar resolution in the First Committee on November 14. It requested the Conference on Disarmament to form an *ad hoc* Committee to negotiate measures to prevent nuclear war and asked governments to contribute to a Secretary General's report "their views on steps to expedite effective action on the question of the prevention of nuclear war."

In an effort to get Western views before the Assembly and the world, a group of nine Western countries, led by the Federal Republic of Germany, introduced a resolution in the First Committee on November 15 under the same rubric entitled, "Prevention of War in the Nuclear Age." While reaffirming the urgency of reducing the threat of nuclear war, the resolution also pointed to the need to remove "the danger of war at any level of hostility" and emphasized the value of concrete arms control agreements and confidence-building measures. In the face of proposed amendments whose passage would have changed the nature of the resolution, its sponsors did not put it to a vote.

The Argentine resolution was approved in the First Committee on November 26 by a vote of 116 to 5 (U.S.), with 13 abstentions and adopted in the plenary Assembly on December 17 by 128 to 6 (U.S.), with 12 abstentions. (Resolution 39/148 P.) The United States voted against the resolution because of its attempt to arrogate to the First Committee authority reserved to the Conference on Disarmament to decide its own work program and because the resolution ignored many of the complex issues involved.

## Negative Security Assurances

Non-nuclear-weapon states have long sought guarantees from the nuclear-weapon states that, in exchange for their renunciation of nuclear arms, the nuclear-weapon states would not use or threaten to use nuclear weapons against them. These guarantees have been referred to as "negative security assurances." In 1978, during the first special session on disarmament, each of the five nuclear-weapon states, in an effort to meet the concerns of the non-nuclear-weapon states, issued a unilateral statement in some form offering negative security assurances. The U.S. statement, made by Secretary Vance on behalf of the President (and later reaffirmed by ACDA Director Rostow in the Committee on Disarmament in February 1982), was as follows:

The United States will not use nuclear weapons against any non-nuclear-weapon state party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapon state or associated with a nuclear-weapon state in carrying out or sustaining the attack.

Since 1982 a working group has addressed the question of negative security assurances at the Conference on Disarmament. It has, however, been unable to reach agreement on effective international arrangements.

The United States is a signatory to Protocol II of the Treaty of Tlatelolco, which is intended to provide security assurances by nuclear-weapon states to members of the Latin American nuclear-weapon-free zone. While pointing out that the U.S. assurances stand as a reliable and valid statement of U.S. policy, it has also indicated its willingness to discuss the possibility of developing a single form of negative security assurance that would safeguard the security requirements of each of the nuclear-weapon states and their respective allies and also meet the desire of all non-nuclear-weapon states.



Bulgaria and Pakistan have each sponsored resolutions on negative security assurances. The Bulgarian resolution in the 39th General Assembly called on the Conference on Disarmament to continue negotiations. In addition, it, *inter alia*, welcomed the "declarations made by some nuclear-weapon states concerning non-first-use of nuclear weapons . . . ." It also asserted that non-nuclear-weapon states who do not have nuclear weapons stationed on their territory have a special right to such assurances. The Pakistani resolution, as in previous years, appealed to all states, especially the nuclear-weapon states, "to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character."

Because the Bulgarian resolution contained concepts unacceptable to the United States, the United States voted against the resolution, which was approved in the First Committee by a vote of 88 to 19 (U.S.), with 16 abstentions. The General Assembly adopted the resolution by 104 to 19 (U.S.), with 20 abstentions. (Resolution 39/57.)

The United States abstained on the Pakistani resolution, since it was felt that the feasibility of reaching effective international arrangements depended on more than just the political will of states. The resolution was approved by the First Committee by 129 to 0, with 5 (U.S.) abstentions. The vote in the General Assembly was 146 to 0, with 4 (U.S.) abstentions. (Resolution 39/58.)

## Confidence-Building Measures

Recalling the 38th General Assembly's resolution on confidence-building measures, the Federal Republic of Germany introduced a draft resolution, subsequently sponsored by 39 countries, including the United States, on that topic at the 39th session on November 8. The draft resolution was approved in the First Committee without a vote on November 21, and the General Assembly adopted the resolution on December 12 in the same manner. (Resolution 39/63 E.)

The resolution expressed regret that, notwithstanding the progress already achieved, the guidelines for appropriate types of confidence-building measures and for the implementation of such measures could not be elaborated fully within the allotted time frame. It urged all states to encourage and assist all efforts designed to explore ways in which confidence-building measures can strengthen international peace and security, and requested the Disarmament Commission to continue and conclude at its 1986 session the consideration of the item entitled "Elaboration of Guidelines for Appropriate Types of Confidence-Building Measures and for the implementation of such measures on a global or regional level." It

further requested the Disarmament Commission to submit a report containing such guidelines to the 41st General Assembly.

## Cut-Off of Fissionable Material for Weapons Purposes

As it has for several years, a draft resolution was introduced on November 9 in the First Committee entitled "Prohibition of the production of fissionable material for weapons purposes." It followed the same pattern as those of previous years, calling for the Conference on Disarmament at an appropriate stage " . . . to pursue its consideration of the question of an adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices . . ."

The United States has subscribed to the concept of a prohibition of the production of fissionable materials for weapons purposes since the idea was first examined by the international community in the early 1960's in the Eighteen-Nation Disarmament Committee in Geneva. The United States abstained, however, on the resolution introduced in the 39th General Assembly—as it had done the previous years—in the belief that it would not be realistic to pursue such negotiations in the near term because of the extreme difficulty in verifying the cutoff of production of such materials.

The First Committee approved the resolution on November 20 by a vote of 125 to 1, with 9 (U.S.) abstentions. It was adopted by the General Assembly by a vote of 140 to 0, with 8 (U.S.) abstentions. (Resolution 39/151 H.)

## Radiological Weapons

Each year since 1979 the General Assembly has adopted a resolution supporting the negotiation of a convention to ban the development, production, stockpiling, and use of radiological weapons. It was in that year that the United States and the Soviet Union submitted an agreed joint proposal on the major elements of such a treaty to the Committee on Disarmament in Geneva. These resolutions, for the most part, have been non-controversial and have adopted each year without a vote.

The 1984 version of the resolution on a radiological weapons convention, cosponsored by Sweden, the Federal Republic of Germany, Japan, and Czechoslovakia, was similar to previous ones. It requested the Conference on Disarmament to continue its negotiations on a treaty and noted that it should reestablish the *Ad Hoc* Committee on Radiological Weapons at the beginning of its 1985 session in view of the fact that the Committee's mandate was not fulfilled. Unlike resolutions on radiological weapons passed in 1982 and 1983, it did

not mention the issue of prohibiting attacks on civil nuclear facilities, which some members of the Conference on Disarmament have argued should be part of a radiological weapons ban.

As in past years, the 1984 resolution on radiological weapons was adopted without a vote in both the First Committee and the General Assembly. (Resolution 39/151 J.)

## **Prevention of an Arms Race in Outer Space**

Three draft resolutions were submitted to the First Committee on the subject of outer space arms control. No action was taken on the Chinese- and Western-sponsored draft resolutions at their sponsors' request. The third resolution, originally introduced by Egypt and Sri Lanka on November 15, was eventually cosponsored by 14 other countries. After having been amended to take account of some points expressed in the other drafts, it was approved by the First Committee on November 27 by a vote of 127 to 0, with 1 (U.S.) abstention, and adopted by the General Assembly on December 12 by a vote of 150 to 0, with 1 (U.S.) abstention (Resolution 39/59.)

The United States found the Egyptian/Sri Lankan draft generally acceptable, but was concerned with operative paragraph 8 of the resolution. This paragraph called upon the Conference on Disarmament in Geneva to establish an *ad hoc* committee at the beginning of its 1985 session with a view to undertaking negotiations "for conclusion of an agreement or agreements to prevent an arms race in all its aspects in outer space." This paragraph was adopted in the First Committee by a recorded vote of 114 to 1 (U.S.), with 11 abstentions on November 27. The U.S. Representative, Donald Lowitz, explained the U.S. opposition to this paragraph and subsequent U.S. abstention in the voting on the draft resolution as a whole, by stating that its unbalanced language prejudiced the position of certain groups in the Conference on Disarmament and inappropriately intervened in the Conference's internal negotiations aimed at identifying an acceptable basis for its further work. He pointed out that the Western draft had avoided would-be instruction to the Conference on Disarmament on the detailed conduct of its affairs.

## **Bilateral Nuclear-Arms Negotiations**

The General Assembly has passed several resolutions over the years dealing with the U.S.-Soviet negotiations on strategic arms reductions. The resolutions have generally welcomed the conclusion of previous negotiations and urged the two participants to undertake further efforts in this field. During the 38th session of the General Assembly in 1983, the status of the Geneva talks, particularly those



on intermediate-range nuclear forces (INF), was a major concern, especially in light of Soviet threats to walk out if NATO followed through on its 1979 deployment decision.

The result was that three competing resolutions were introduced—a Romanian draft calling for a moratorium on INF deployments; a Bulgarian one calling for freezing the status quo, thereby permitting Soviet SS-20's to remain; and a Western resolution calling for the bilateral negotiations to continue without pre-conditions.

All three resolutions were approved in the First Committee. The Romanian resolution fared the worst, with a vote of 64 to 31 (U.S.), with 21 abstentions. Many Western and Eastern states voted against it. The Bulgarian resolution was approved by a vote of 65 to 19 (U.S.), with 40 abstentions. The Western resolution was approved by 85 to 18 (U.S.S.R.), with 21 abstentions. These votes clearly put the bulk of the world community, including most non-aligned states, on record in favor of continuing the Geneva talks without preconditions. This took place almost simultaneously with the vote in the West German Bundestag approving deployment and on the eve of the Soviet walkout in Geneva. The Assembly took action on the INF resolutions on December 20, but Bulgaria asked that its resolution not be put to a vote. The other two were adopted, as was a Mexican resolution that called on the United States and the Soviet Union to examine the possibility of merging the START and INF talks and expanding their agenda to include battlefield nuclear weapons.

At the 39th General Assembly, with the talks in suspense following the Soviet walkout, the issue of bilateral negotiations was less central than it had been the year before. There were no Eastern or Romanian drafts introduced in 1984. On October 31 the United Kingdom, on behalf of 12 Western countries, introduced a resolution similar to that of the previous year but updated to take account of the subsequent Soviet walkout from the INF talks and the suspension of START.

The central feature of the draft was to urge the United States and the U.S.S.R. "to resume, without delay or pre-conditions, bilateral nuclear-arms negotiations." The resolution was approved in the First Committee on November 20 by a vote of 86 (U.S.) to 17, with 24 abstentions, and by the plenary Assembly by 98 (U.S.) to 16, with 24 abstentions. (Resolution 39/148 B.) (In the meantime, on November 22 the United States and the U.S.S.R. had agreed to enter into new bilateral negotiations on nuclear offensive arms and defensive and space arms.)

In explaining the U.S. vote in favor of the draft resolution, Mr. Emery said that his government strongly supported the call for resumption of bilateral negotiations "without delay or pre-con-

ditions." He noted that the resolution was "simple and effective" and established no preconditions either for commencement of the negotiations or for the negotiations themselves. Finally, he pointed out that it did not "put the finger on any one country for the disruption of negotiations."

On November 7 Mexico, along with Sweden and Yugoslavia, again introduced a resolution calling for the merger of INF and START and the inclusion of battlefield nuclear weapons. In addition, the resolution invited the United States and the U.S.S.R. to conduct their bilateral negotiations as a subsidiary body of the Conference on Disarmament. This resolution was approved by the First Committee by a recorded vote of 93 to 11 (U.S.), with 22 abstentions, and adopted by the Assembly by 100 to 12 (U.S.), with 26 abstentions. (Resolution 39/148 G.)

Before the vote on November 26 on the Mexican resolution, Mr. Lowitz explained the reasons for U.S. opposition. He noted the November 22 announcement of bilateral negotiations and pointed out flaws in the draft which, *inter alia*, claimed the negotiations prior to suspension had not been making progress—an assertion the United States rejected. The draft called for a freeze, which the United States did not favor. Mr. Lowitz also rejected the procedural and substantive suggestions in the draft. "The negotiating partners," he said, "must be granted leeway and flexibility in pursuing the objectives of nuclear disarmament."

## Israeli Nuclear Armament

On November 14, Iraq, as it had in previous sessions, introduced a resolution entitled "Israeli nuclear armament," which was cosponsored by 23 other Arab nations. On December 4 the First Committee approved the draft resolution by a vote of 85 to 2 (U.S., Israel), with 36 abstentions, and on December 17 the General Assembly adopted it by a recorded vote of 94 to 2 (U.S., Israel), with 44 abstentions. (Resolution 39/147.)

This resolution, *inter alia*, requested the Security Council to take urgent and effective measures to ensure that Israel complies with the resolution and places all its nuclear facilities under International Atomic Energy Agency safeguards. It also called on the Security Council to investigate Israel's nuclear activities and the collaboration of other states, parties, and institutions in these activities and reiterated its request to the International Atomic Energy Agency to suspend any scientific cooperation with Israel which could contribute to Israel's nuclear capabilities.

Alexander Liebowitz, a member of the U.S. Delegation, in explanation of the vote before the Committee, stated:

This draft resolution, much like those of previous years on this subject, is discriminatory. It singles out one Member State for criticism and condemnation while it patently ignores a number of other States which have neither become parties to the Non-Proliferation Treaty nor placed their nuclear facilities under the safeguards system of the International Atomic Energy Agency (IAEA). The United States would welcome a balanced provision calling for all non-nuclear-weapon States which have not done so to request IAEA, pursuant to Article III A 5 of its Statute, to apply safeguards continuously to all their nuclear facilities. The application of safeguards to all peaceful nuclear activities in a state contributes significantly to increased confidence among neighbouring states as well as other states regarding the peaceful nature of such activities.

In fact, however, operative paragraph 4 of [the present] draft resolution, as did operative paragraph 3 of last year's resolution, ignores this principle of balance and moreover would represent an inappropriate attempt by the General Assembly to instruct IAEA on a matter which relates directly to the interpretation of IAEA statutory provisions. We believe this is a function properly reserved to the IAEA Board of Governors and the General Conference, which alone are competent to determine whether or not a member state may have its rights and privileges of membership suspended in accordance with Article XIX B of the IAEA Statute.

We are also concerned with the request in operative paragraph 7 of this draft resolution for a report providing data and other relevant information relating to Israeli nuclear armament and further nuclear developments. While this report is to take into account the Secretary General's report of 2 years ago, we question the need for any new report.

## **World Disarmament Campaign**

The World Disarmament Campaign is a Mexican initiative stemming from the first special session of the General Assembly devoted to disarmament, calling for "mobilizing world public opinion on behalf of disarmament." The United States expressed two principal concerns when the campaign was first proposed in 1980. First, we expressed serious doubt that the Soviet Union and other totalitarian governments would permit any free airing of international security or disarmament issues. Second, we noted that it was not the function of the United Nations or of governments in democratic societies to "mobilize" public opinion.

A Mexican resolution, adopted over U.S. and Western opposition at the 35th General Assembly, requested the Secretary General to prepare a study on the organization and financing of a campaign under UN auspices. However, in 1982, at the second special session of the General Assembly on disarmament, a World Disarmament Campaign plan acceptable to the United States was outlined, enabling the United States to join in the consensus which launched the campaign. The plan, as approved, called for the campaign to be carried out "in all regions of the world in a balanced, factual, and objective manner." We have made it clear that we expect the



campaign to be financed out of existing funds and voluntary contributions and not from any expansion of the UN budget.

As at the 38th session, the Mexicans introduced at the 39th session a draft resolution addressing the Campaign. In previous years, this resolution had been adopted by consensus. The U.S. Representative, Mr. Emery, explained that, although there were many elements of the draft which the United States strongly supported, additions to this year's text made it no longer a consensus resolution. He emphasized that the Campaign was meant to be funded by voluntary contributions and that the United States cannot accept criticism of those who have not contributed.

The resolution was approved in the First Committee on November 19 by a vote of 124 to 0, with 12 (U.S.) abstentions, and in the General Assembly by 139 to 0, with 12 (U.S.) abstentions. (Resolution 39/63 D.)

Bulgaria introduced a draft resolution which, like its resolution of the previous year, invited all member states "to cooperate with the United Nations to ensure a better flow of accurate information with regard to the various aspects of disarmament, as well as actions and activities of the world public in support of peace and disarmament, and to avoid dissemination of false and tendentious information." The United States abstained on this resolution on the grounds that dissemination of information should be free and unhindered, and it is up to the recipients to decide what is true and what is false. The resolution was approved in the First Committee on November 19 by a vote of 96 to 0, with 34 (U.S.) abstentions, and in the General Assembly by 117 to 0, with 31 (U.S.) abstentions. (Resolution 39/63 A.)

A third draft resolution was introduced by Togo on November 15. It called for establishing regional arrangements for implementation of the World Disarmament Campaign, on the basis of existing resources and of voluntary contributions which member states may make to that end. This draft was adopted without a vote in the First Committee on November 21, and in the same manner in plenary on December 12. (Resolution 39/63 J.)

## **Institutional Issues**

The 39th General Assembly considered several initiatives on institutional issues. A draft resolution, "UN programme of fellowships on disarmament," was introduced in the First Committee on November 15 by Nigeria. It noted that the program had already trained 130 public officials from 77 countries and expressed appreciation to the Governments of the Federal Republic of Germany, Japan, Romania, Sweden, and the United States for inviting fellows to their countries in 1984. The resolution was adopted in the First Committee

without a vote on November 19 and in like manner in plenary on December 12. (Resolution 39/63 B.)

Nigeria introduced a second resolution relating to institutional questions on November 20. Entitled "UN Institute for Disarmament Research (UNDIR)," it included an annexed statute and had as its purpose the formal establishment of UNIDIR. Mr. Liebowitz explained that the United States voted against the draft resolution on the grounds that mixed funding of the Institute (i.e., voluntary contributions *and* regular UN budgetary appropriations) contradicted the intent of the General Assembly that the Institute be funded entirely by voluntary contributions as stipulated in resolution 37/99 K.

The resolution was adopted in Committee on December 3 by a vote of 108 to 1 (U.S.), with 2 abstentions, and in plenary on December 17 by 141 to 1 (U.S.), with 3 abstentions. (Resolution 39/148 H.)

A third initiative, introduced by Czechoslovakia on November 14, was titled "International co-operation for disarmament." The resolution, *inter alia*, called upon "all member states to cultivate and disseminate, particularly in connection with the World Disarmament Campaign, . . . the ideas of international co-operation for disarmament." It further called upon UNESCO "to mobilize world public opinion on behalf of disarmament." The United States maintains that it is not the function of any organization to mobilize world opinion. Such language is particularly unacceptable in the case of UNESCO and caused the United States to vote against the draft. The First Committee approved this resolution on November 20 by a vote of 99 to 19 (U.S.), with 8 abstentions. The plenary Assembly adopted the resolution on December 17 by 109 to 19 (U.S.), with 7 abstentions. (Resolution 39/148 M.)

On November 15, Yugoslavia introduced the "Report of the Conference on Disarmament." The resolution once again urged the Conference to continue or to undertake substantive negotiations on priority disarmament questions. In explaining the U.S. vote against the resolution, Mr. Emery indicated that the language of this resolution, as well as that of the report of the Conference itself, had, over the course of several General Assembly sessions, become increasingly imbalanced.

The resolution was approved by the First Committee on November 19 by a vote of 113 to 1 (U.S.), with 19 abstentions, and by the plenary Assembly on December 17 by 123 to 1 (U.S.), with 21 abstentions. (Resolution 39/148 N.)

The final institutional initiative was a consensus resolution introduced in the First Committee on November 12 by 13 consponsors under the title, "Report of the Disarmament Commission." It was

adopted in Committee without a vote on November 19 and similarly in the plenary Assembly on December 17. (Resolution 39/148 R.)

## ANTARCTICA

In its resolution 38/77 of December 15, 1983, the General Assembly requested the Secretary General to prepare a comprehensive, factual, and objective study on all aspects of Antarctica, taking fully into account the Antarctic Treaty system and other relevant factors. The Assembly also requested the Secretary General to seek views of member states and of those conducting scientific research in Antarctica. It also requested other interested states, relevant specialized agencies, and bodies of the UN system, and organizations having scientific or technical information on Antarctica to lend assistance to the Secretary General for the purpose of carrying out the study.

The report was submitted to the General Assembly in October, 1984. It surveyed a range of activities with respect to Antarctica, including a description of the Treaty system, without making any major recommendations. In responses to the Secretary General's request for information and views, the United States replied that the "United States' commitment to the Antarctic Treaty and Treaty system rests upon the accomplishments they have made possible over the past 23 years. The Treaty System and the Treaty have come to constitute a responsive international mechanism open to new interests and new participants and capable of handling new activities and situations. For these reasons the United States will continue to use its best efforts to ensure the effective and equitable functioning of the system."

The First Committee considered the subject at five meetings between November 28 and 30. During the debate, Malaysia and several other developing states proposed the establishment of an *ad hoc* committee to consider Antarctic issues with a view to ultimate changes in the Treaty system. All of the Antarctic Treaty Consultative Parties, including the United States, and others rejected the need for a committee on any significant alteration of the existing Treaty system and emphasized the 25th anniversary of the Treaty on December 1, 1984.

On November 30 Malaysia, on behalf of 11 other countries, introduced a draft resolution which expressed its appreciation to the Secretary General for the study and decided to include the item in the provisional agenda of the 40th session. The draft was approved in Committee on the 30th of November and adopted in the plenary



Assembly on December 17, in both instances without a vote. (Resolution 39/152.)

## OUTER SPACE

Within the United Nations, the 53-member Committee on the Peaceful Uses of Outer Space, for most of the past 25 years, has served as a vehicle for multilateral cooperation in the use and exploration of outer space and the further development of international law governing outer space activities. The Committee, its Scientific and Technical Subcommittee, and its Legal Subcommittee all met during 1984.

In 1983 the 38th General Assembly had adopted an omnibus resolution by a vote of 124 to 12 (U.S.), with 8 abstentions, that provided for the Committee to take up subjects which the United States and its allies believed were inappropriate to the Committee's work. (Resolution 38/80.) These subjects included such issues as the "militarization" of outer space and the elaboration of legal principles to govern the geostationary orbit. This action violated the long tradition of dealing with Committee issues by consensus. At the time of the decision, the United States announced it would reconsider its participation in the Committee. On February 15, 1984, in a meeting of the Scientific and Technical Subcommittee, the U.S. Representative, Ambassador José S. Sorzano, elaborated the U.S. position:

We believe the Committee is embarked upon an agenda of confrontation, politicization and futility, and we have been forced by these developments to consider what our future relationship to the Committee should be. Therefore, for the foreseeable future, our involvement and support for various activities under the Committee's auspices will be considerably reduced. As I have indicated, there are certain items in which we will not be involved in any manner. Nevertheless, we will continue to participate in the Committee, in a limited sense, at least for the next cycle of meetings. We will be attempting to arrive at some considered judgments during this period as to how our interests are served, if at all, by remaining involved in the Committee, and we want to allow time to consult very closely with other delegations. The United States is willing to work with all delegations which are interested in finding more constructive ways of doing business in the Committee, as well as what the Committee's proper business should be. It is clear, however, that without a firm commitment to the consensus rule, we have no confidence in the ability of the Committee to function in any useful manner.

In the execution of this policy the United States worked intensively with Committee members, and particularly with its allies, to redirect the work of the Committee. The principal U.S. objectives were the removal of "militarization" from the Committee's agenda, the removal of a negotiating mandate regarding the Legal

Subcommittee's consideration of the geostationary orbit and the "definition/delimitation" of space, the return to consensus, and a reemphasis on relevant scientific and technical issues in all aspects of the Committee's work.

## **Scientific and Technical Subcommittee**

The Scientific and Technical Subcommittee held its 21st session February 13-24 in New York. The Subcommittee included on its agenda such topics as the use of nuclear power sources in space, the UN program on space applications and the coordination of space activities within the UN system, questions relating to remote sensing of the earth by satellites, questions relating to space transportation systems and their implications for future space activities, and the examination of the physical nature and technical attributes of the geostationary orbit. Little progress was registered on these items.

## **Legal Subcommittee**

The Legal Subcommittee held its 23rd session March 19-April 6 in Geneva. Its agenda included consideration of the legal implications of remote sensing of the earth from space, with the aim of formulating draft principles. In addition, the Subcommittee considered the possibility of supplementing the norms of international law on using nuclear power sources in space and also matters related to the definition and delimitation of outer space, and to the character and utilization of the geostationary orbit including the elaboration of general principles to govern the rational and equitable use of the geostationary orbit.

The Subcommittee considered the question of the elaboration of new legal principles on a delimitation of outer space and the use of the geostationary orbit through a Working Group, but reached no conclusion. The United States did not participate in the Working Group consideration of this item since the creation of the group was not achieved by consensus.

## **Outer Space Committee**

The Committee on the Peaceful Uses of Outer Space held its 27th session June 12-21 in Vienna. The Committee adjourned without agreement on any of the controversial issues which had clouded its future. Efforts by Dutch and other Western delegations to initiate a review of the Committee's work methods, and to reorient the Committee to scientific and technical subjects, met with strong resistance from Eastern and non-aligned quarters. As a result, the debate on the Committee's future agenda was left open for further

consideration by the Special Political Committee of the 39th General Assembly. The United States pointedly refused to participate in the Committee's discussion of "questions relating to militarization."

## General Assembly Consideration

The 39th General Assembly, on the recommendation of its Special Political Committee, adopted an omnibus resolution dealing with "International Cooperation in the Peaceful Uses of Outer Space." The draft resolution was approved in Committee on December 6 by consensus. The resolution was adopted in the plenary Assembly on December 14, also by consensus. The resolution, *inter alia*, restored consensus, removed the militarization item from the Committee's agenda, and took away a mandate to negotiate new legal principles on a delimitation between air space and outer space and on the use of the geostationary satellite orbit. On that basis, the United States is prepared to return to full and active participation in the Committee and will continue efforts to make the Committee function effectively once again in promoting international cooperation in the peaceful uses of outer space. At the same time, the United States will be looking for indications that the commitments made in the 39th General Assembly will be maintained. (Resolution 39/96.)

Speaking in Committee after the vote, Ambassador Sorzano said:

... the resolution was the result of intensive negotiations between delegations with very distinct points of view and interests. The consensus had been achieved only in specific areas, through neutral formulations intended to protect the interests of all governments.

The United States was disappointed that many of its concerns had not been taken into consideration; however, it hoped that its willingness to accommodate the interests of other states would lead those states to be more receptive, the following year, to the need to strengthen the scientific and technical orientation of the Committee on the Peaceful Uses of Outer Space to ensure a rational and just use of the geostationary orbit and noted that the resolution recognized the special function of ITU in that regard.

The United States regarded the resolution as a first and modest step toward the return to the process of consensus, the only practical way of ensuring that the work of the Committee on the Peaceful Uses of Outer Space would make positive progress.

## LAW OF THE SEA

In the spring of 1982, at the 11th and final session of the Third UN Conference on the Law of the Sea (LOS) which began in 1972, negotiations were completed on an LOS treaty. The Administration, after a searching review of the draft treaty and U.S. participation in the LOS negotiations, decided to participate in the final round of



negotiations and attempt to protect U.S. interests by seeking amendments to the seabed mining section of the Draft Convention, which was fundamentally flawed. We were unable to obtain the essential changes we required, and therefore called for a vote on the Treaty. The vote was 130 to 4 (U.S., Turkey, Israel, and Venezuela), with 17 abstentions (principally a combination of EC countries and the Soviet bloc). The President announced on July 9, 1982 that the United States would not sign the treaty, and was later joined in this view by two other major seabed mining nations—the United Kingdom and the Federal Republic of Germany.

Resolutions were adopted by the 37th and 38th General Assemblies, which welcomed adoption of the Law of the Sea Convention; called on all states to sign and ratify the Convention; and approved financing of the LOS Preparatory Commission from the regular UN budget. Only the United States and Turkey opposed the resolutions. The 39th General Assembly, by a vote of 138 to 2 (U.S., Turkey), with 5 abstentions, endorsed the LOS Convention and approved funds for the Preparatory Committee from the regular UN budget. (Resolution 39/73.)

In explanation of the vote, the U.S. Representative, Robert D. Ray, stated in plenary on December 13, 1984, that

Once again my delegation has had to cast a negative vote on a resolution concerning the international development of the law of the sea. As in the past, we have done so with considerable reluctance. We do so primarily because of the insistence by many delegations that the 1982 Convention on the Law of the Sea, and the institutions it seeks to create remain a direct fiscal responsibility of this Organization.

The United States, as we have stated in the past, views the 1982 Convention of the Law of the Sea as a major accomplishment in the development of international law relating to the oceans. Unfortunately, the Convention on the Law of the Sea contains one part, part XI, which runs contrary to United States policy and to that of others, who share our views concerning the future development of resources on the bottom of the deep sea-bed. Therefore, the United States has not signed the Convention on the Law of the Sea.

The United Nations is still being requested to fund, from its general budget, the Preparatory Commission established by the Convention on the Law of the Sea. The United States believes the costs of the Law of the Sea Preparatory Commission should be borne by those nations which are a party to the Treaty.

... the United States will not support that part of the Convention which deals with deep sea-bed development, and the United States will continue to withhold its *pro rata* share of the United Nations annual assessment for the regular budget, which pertains to the funding of the Preparatory Commission and is earmarked to part XI of the Convention on the Law of the Sea.

## GENERAL POLITICAL PROBLEMS

### Membership: Brunei Darussalam

During 1984 Brunei Darussalam was admitted to the United Nations, bringing total membership by the end of the year to 159.

Brunei Darussalam became independent on January 1, 1984. On February 8 His Majesty the Sultan submitted his country's application for UN membership to the Secretary General.

On February 24 the Security Council, in accordance with rule 59 of its provisional Rules of Procedure, referred the application of Brunei Darussalam to its Committee on the Admission of New Members (a committee of the whole). On the same day, the Committee unanimously approved the application; the Security Council unanimously adopted a resolution recommending that the General Assembly admit Brunei Darussalam to UN membership. (Resolution 548 (1984).)

On September 21 the General Assembly unanimously adopted a resolution, sponsored by 107 states, including the United States, that admitted Brunei Darussalam to UN membership. (Resolution 39/1.)

Speaking after the adoption of the resolution, the U.S. Permanent Representative, Ambassador Jeane Kirkpatrick, welcomed Brunei Darussalam to the United Nations and pointed out that Brunei and the United States have enjoyed a variety of friendly ties extending back 100 years and more. Noting that Brunei had already become the sixth member of ASEAN, an outstanding example of common purpose, regional cooperation, and constructive action, Ambassador Kirkpatrick expressed confidence that Brunei Darussalam would be a most constructive member of the United Nations.

### Question of Peacekeeping

#### PEACEKEEPING GUIDELINES

In 1965 the General Assembly established the 33-member Special Committee on Peacekeeping Operations.<sup>8</sup> Ever since then the Special Committee has been responsible for carrying out a comprehensive review of peacekeeping operations, on conceptual and practical levels. The Special Committee's main objectives are to draft guidelines for future peacekeeping operations, to make recommendations concerning the financial situation, and to examine the question of

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<sup>8</sup>The 33 members in 1984 were Afghanistan, Algeria, Argentina, Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

practical measures to improve the effectiveness of peacekeeping operations.

Although the Special Committee did not meet in 1984, the question of peacekeeping arose in the General Assembly.

## **GENERAL ASSEMBLY**

The General Assembly's Special Political Committee considered the question of peacekeeping in four meetings between October 15 and 19. On October 17 the U.S. Representative, Walter Vigilienzone, told the Special Political Committee that peacekeeping operations constituted one of the most positive developments in the history of the United Nations. Mr. Vigilienzone noted that in 1973 the Security Council had developed guidelines for the UN Emergency Force, and that these guidelines had been followed in all subsequent peacekeeping operations, thus there was no need for the Committee to focus on guidelines. He pointed out, however, that problems of financial support for peacekeeping needed to be resolved, and that practical measures to improve effectiveness and efficiency should be considered. Concluding that the longstanding deadlock in the Special Committee on Peacekeeping Operations did not lead to optimism about the prospects for progress in that forum, and that there might be other forums better suited to dealing with the questions, he stated that the United States was, however, prepared to acquiesce in a renewal of the Special Committee's mandate if that was the clear wish of the majority.

On October 17 the Chairman of the Special Political Committee introduced a draft resolution which had been worked out in private consultations, and which limited itself to renewing the mandate of the Special Committee on Peacekeeping Operations. On October 19 the Special Political Committee approved the draft resolution without a vote, and on December 14 the General Assembly adopted the draft in the same manner. (Resolution 39/97.)

## **Efforts Toward Strengthening the United Nations**

### **SPECIAL COMMITTEE**

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization<sup>9</sup> held its ninth session in New York from April 2 to 27, 1984. The Special Committee

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<sup>9</sup>The 47 members in 1984 were Algeria, Argentina, Barbados, Belgium, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.



operated through a working group which met in closed meetings and continued to consider the maintenance of peace and security, the peaceful settlement of disputes, and the rationalization of United Nations procedures. The Special Committee reported on its 1984 session to the 39th UN General Assembly.

## GENERAL ASSEMBLY

In 10 meetings from October 18 to 31 and on December 6, the Sixth Committee considered the report of the Special Committee, plus the separate but related agenda item on the peaceful settlement of disputes.

### U.S. Position

In the Sixth Committee on October 24, the U.S. Representative, Robert Rosenstock, indicated that during its 1984 session the Special Committee had worked relatively productively and urged that the Special Committee continue to address the same issues in 1985. Noting that the positive tone had largely been the result of a consensus mandate, he was confident that it would be possible to work out another resolution which could be adopted by consensus.

Mr. Rosenstock characterized the discussion of the working paper sponsored by Belgium, the Federal Republic of Germany, Italy, Japan, and Spain (later joined by New Zealand) as the most positive exchange which the Special Committee had ever held on the maintenance of international peace and security. He praised the Special Committee's recommendation that the Secretary General be asked to prepare a handbook on the peaceful settlement of disputes, focusing on practice rather than theory. On the proposed UN commission on good offices, mediation, and conciliation, the U.S. Representative remarked that the sponsors had not yet met their burden of proof: to demonstrate that such a commission would be used by states, helpful in settling disputes, and compatible with the Charter's allocation of duties and responsibilities. Describing the Special Committee's 12 procedural conclusions as only a modest beginning, Mr. Rosenstock advocated further work aimed at improving UN procedures, especially on the role of consensus in UN decisionmaking.

### Draft Resolutions

On December 6 Romania introduced a draft resolution, ultimately sponsored by 31 states, which, *inter alia*, requested that the Secretary General prepare a draft handbook on the peaceful settlement of disputes; asked the Special Committee to examine it; and continue considering the proposal for the establishment of a UN commission on good offices, mediation, and conciliation. On the same day, the Sixth

Committee approved the draft resolution without a vote, and on December 13 the General Assembly adopted the draft resolution in the same manner. (Resolution 39/79.)

On December 6 the Philippines introduced a separate, two-part draft resolution which was ultimately sponsored by 35 states. Part A provided for a renewal of the Special Committee's mandate, requesting that it devote more time to the maintenance of international peace and security, continue to work on the peaceful settlement of disputes, and keep the rationalization of UN procedures under review. Part B approved the Special Committee's 12 procedural conclusions, deciding that they should be reproduced as an annex to the General Assembly's Rules of Procedure. On the same day, the Sixth Committee approved both parts of the draft resolution without a vote, and it was adopted on December 13 by the General Assembly, also without a vote. (Resolution 39/88 A and B.)

Another draft resolution, introduced on December 6 by Libya on its own behalf and subsequently cosponsored by Iran, was not formally considered by the Sixth Committee. This draft resolution included a call for the Special Committee to "examine the adverse effects for the maintenance of international peace and security arising from the method of voting in the Security Council," asserting "[t]he need to ensure that recourse to the unanimity rule [veto] is restricted." At the same meeting, the Chairman stated that Belgium, the Federal Republic of Germany, Italy, Japan, New Zealand, and Spain had moved under rule 131 of the Rules of Procedure that the Sixth Committee first take a decision on the draft resolution introduced by the Philippines. The motion was adopted by a vote of 73 (U.S.) to 23, with 26 abstentions. After the Philippine draft resolution had been approved, France and the United Kingdom moved under rule 131 of the Rules of Procedure that the Sixth Committee not consider the Libyan draft resolution. That motion was adopted by 46 (U.S.) to 36, with 39 abstentions.

## **Strengthening International Security**

In 1969 the Soviet Union proposed an agenda item for the General Assembly on the "Strengthening of international security." The Assembly adopted a Soviet-sponsored declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for implementing the declaration have been considered annually since 1971 by the General Assembly. Although the United States voted in favor of the initial Declaration, it

has often abstained or voted against subsequent resolutions under this item on the grounds that they contribute little to promoting peace and respect for the purposes and principles of the UN Charter. Moreover, some of these resolutions have contained elements unacceptable to the United States.

In recent years the Non-Aligned countries have increasingly used this item as a vehicle to advance cardinal tenets of non-aligned doctrine—anticolonialism, the New International Economic Order, support for national liberation movements, and national sovereignty over natural resources.

In 1979 the General Assembly, in the course of its consideration of the item on strengthening of international security, decided to consider as a separate agenda item, beginning at its 36th session, the subject of the development of relations of good-neighborliness between states. In 1982 an additional item entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security" was included in the agenda at the request of Sierra Leone. In 1984, at the initiative of the Soviet Union, yet another agenda item was added, "Inadmissibility of the policy of state terrorism and any actions by states aimed at undermining the socio-political system in other sovereign states."

The items were referred to the First Committee of the 39th General Assembly where they were considered jointly at seven meetings between December 3 and 7. There were seven draft resolutions introduced in Committee and approved on December 7, three without a vote. All were adopted in the plenary Assembly on December 17.

The first, sponsored by countries in the Mediterranean area, *inter alia*, reaffirmed that the security of the Mediterranean is closely linked with European security and with international peace and security, and urged all states to cooperate with the Mediterranean states in further efforts required to reduce tension and promote peace, security, and cooperation in the region in accordance with the purpose and principles of the UN Charter and provisions of the Declaration on Principles of International Law Concerning Friendly Relations. (Resolution 39/153.)

Cyprus submitted a draft entitled "Review of the implementation of the declaration on the strengthening of international security." It took "due regard of the need that on the occasion of the 40th anniversary of the United Nations specific endeavors should be devoted by the international community to restore to the United Nations the effectiveness required for it by the Charter" and "requested the Security Council to give priority consideration to the strengthening of the system of collective security provided for in the Charter." (Resolution 39/154.)



The third draft was entitled "Strengthening of international security," and stressed the primary responsibility of the Security Council in the collective maintenance of peace and security and encouraged the Council to intensify efforts to prevent international conflict and to promote the peaceful settlement of disputes. (Resolution 39/156.)

An omnibus draft resolution dealing with various aspects of the 1970 Declaration was introduced by Yugoslavia. The draft resolution, *inter alia*, called upon all states (1) to implement the Declaration on the Strengthening of International Security; (2) to contribute to the establishment of the New International Economic Order; (3) to reaffirm the legitimacy of the struggle of peoples under colonial domination, foreign occupation, or racist regimes to achieve self-determination; and (4) to take appropriate and effective measures to promote the denuclearization of Africa and avert the serious danger to African countries posed by South Africa's nuclear capabilities. The draft was approved by a recorded vote of 120 to 0, with 11 (U.S.) abstentions. The resolution was adopted by the General Assembly by a recorded vote of 137 to 0, with 11 (U.S.) abstentions. (Resolution 39/155.)

The U.S. Representative, Abraham Liebowitz, explained the U.S. position after the Committee vote when he said:

[The] text strays at points into contentious issues of regional problems and economics, with partisan views that tend to prejudice the outcome of negotiations and thus mar the balance of the draft resolution. Moreover, the draft resolution places blame for the deterioration of the international security climate exclusively on the superpowers, ignoring other sources of conflict that have in the past few decades produced much human suffering.

On December 6 Poland, subsequently joined by 25 other countries, introduced a draft resolution on the "Implementation of the Declaration on the Preparation of Societies for Life in Peace." The draft, *inter alia*, solemnly reaffirmed the lasting validity of the purposes and principles enshrined in the Declaration; invited all states to intensify their efforts toward the implementation of the Declaration by taking all necessary steps toward that end at the national and international levels; and requested the Secretary General to consider convening in 1986, within the program of the International Year of Peace, a panel of peace research experts to consider, in a comprehensive manner, questions pertaining to the implementation of the Declaration.

The recorded vote in Committee on this draft was 105 to 0, with 24 (U.S.) abstentions. The vote in the plenary Assembly was 119 to 0, with 28 (U.S.) abstentions. (Resolution 39/157.)

In explanation of the vote, Mr. Liebowitz noted that:

... the United States supports the moving spirit and intent of this initiative. But defects that we have found in this resolution in the past have not disappeared, and new ones have been added. We cannot support a reference to "positive molding of human consciousness." In a free society like ours the consciousness of each citizen molds the state and not vice versa.

This year the resolution contains some additional flaws that cause us concern. We do not support the invitation in paragraph 2 to the United Nations and related bodies to "incorporate active promotion of the ideas of the preparation of societies for life in peace in their programmes."

No matter how moderately expressed, this is another effort to politicize United Nations bodies and involve them in activities in which they have no competence. The United States also sees no value in convening a panel of peace research experts, called for in paragraph 7. The First Committee has already decided to conduct numerous studies; it must take some choices between those that may make a real contribution and others.

Sierra Leone introduced a draft resolution entitled "Implementation of the collective provisions of the Charter of the United Nations for the maintenance of international peace and security." The resolution (1) regretted the non-establishment of an *Ad Hoc* Committee on the implementation of the collective security provisions of the Charter, as requested by resolution 38/191; (2) requested the urgent constitution of the Committee so that the original mandate may be fulfilled; and (3) requested the *Ad Hoc* Committee to take due account of the views and comments of Member States, including their recommendations, and to submit a progress report to the Security Council for its consideration, and comments and to the 40th General Assembly, and a final report to the 41st session of the Assembly. The draft was approved in the Committee by a vote of 93 to 22 (U.S.), with 14 abstentions, and adopted in the plenary Assembly by a vote of 108 to 22 (U.S.), with 13 abstentions. (Resolution 39/158.)

Mr. Liebowitz, speaking in explanation of this vote, noted that this resolution proposed

... to establish a committee to perform activities provided for in the mandate of the Special Committee on the United Nations Charter and on the Strengthening of the Role of the Organization, the proper United Nations forum for the investigation of these important matters. The issues involved are complex and contentious; progress will not be served by institutional duplication. We have not had sufficient time to consider the issue this year and firmly believe that the expenditure of funds for this purpose is unnecessary and unwise.

The Soviet-initiated resolution on "State terrorism," as amended, condemned policies and practices of terrorism in relations between states. It demanded that states take no actions aimed at military intervention and occupation, forcible change in or undermining of the sociopolitical system of states, the destabilization and overthrow of

their governments, and, in particular, initiate no military action to that end under any pretext whatsoever and cease forthwith any such action already in progress. It also urged all states to respect and strictly observe, in accordance with the Charter of the United Nations, the sovereignty and political independence of states, the right of peoples to self-determination, as well as their right freely to choose their sociopolitical system, and to pursue their political, economic, social, and cultural development. Acceptance of some amendments proposed by Western and non-aligned states made U.S. abstention possible. The draft was approved in Committee by a vote of 101 to 0, with 29 (U.S.) abstentions, and adopted by the plenary Assembly by a vote of 117 to 0, with 30 (U.S.) abstentions. (Resolution 39/159.)

Speaking in the General Assembly on December 17, the U.S. Representative, Ambassador Sorzano, said:

... the shameless introduction by the Delegation of the Soviet Union of a resolution on state terrorism further demonstrates [the] point that totalitarian regimes seek to hide their own despotic practices by debasing the language, inverting the meaning of commonly accepted terms, and accusing others of acts in which they themselves systematically engage. For that reason the United States will not vote for this exercise in multilateral cynicism.

## Questions Relating to Information

The Committee on Information, a 67-member standing committee of the UN General Assembly,<sup>10</sup> has a mandate to oversee UN public information activities, including those of the Department of Public Information; to coordinate information activities with UN specialized agencies, such as UNESCO and the ITU, which have operational responsibility for communication and information questions; to promote the establishment of a New World Information and Communication Order (NWICO); and to make recommendations to the General Assembly. The Committee held its organizational session on March 19; its substantive session, the sixth session of the Committee, from June 18 to July 6; and a special session on September 6, all at UN Headquarters.

The United States, the United Kingdom, Federal Republic of Germany, and the Netherlands declined to join the consensus on the 1984 report of the Committee, among other things, because it did not

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<sup>10</sup>Members of the Committee in 1984 were Algeria, Argentina, Bangladesh, Belgium, Benin, Brazil, Bulgaria, Burundi, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guatemala, Guinea, Guyana, India, Indonesia, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syria, Tanzania, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, Vietnam, Yemen (Sanaa), Yugoslavia, and Zaire.



characterize the NWICO as an "evolving, continuous process." Nonetheless, the report was adopted and forwarded to the 39th General Assembly where it was assigned to the Special Political Committee for consideration.

The Special Political Committee considered the agenda item "Questions relating to information" at 12 meetings between November 1 and December 10. On December 7 Egypt, on behalf of the Group of 77, introduced two draft resolutions. The first of these, *inter alia*, (1) urged the Department of Public Information to continue to follow up programs in further implementation of parts relevant to public information in Declaration of International Conference in Support of the Struggle of Namibian People for Independence in 1983 and Declaration of Extraordinary Meeting of UN Council for Namibia in 1984; (2) approved the report; (3) requested the Department of Public Information to cover adequately policies and practices which violate the principles of international law "... especially those policies and practices which frustrate the attainment and exercise of the inalienable and national legitimate rights of the Palestinian people"; (4) decided to increase the membership of the Committee from 67 to 69, and appoint China and Mexico as new members; and (5) attached an annex containing recommendations designed to expand and enlarge the dissemination of information.

The draft resolution was approved by a vote of 108 to 6 (U.S.), with 7 abstentions.

The second draft resolution, among other things, noted with satisfaction the UNESCO Director General's report on the implementation of the International Program for the Development of Communication (IPDC), and encouraged UNESCO to intensify its studies, programs, and activities with a view to identifying new technological trends in information, communication, telematics, and informatics and assess their socioeconomic and cultural impact on the development of peoples, and in this context requested it to provide periodic studies relevant to these topics. The draft resolution was approved by a vote of 98 to 6 (U.S.), with 17 abstentions.

On December 14 both draft resolutions were adopted in the plenary Assembly, the first as resolution 39/98 A by a vote of 132 to 6 (U.S.), with 7 abstentions, and the second by a vote of 122 to 6 (U.S.), with 17 abstentions, as resolution 39/98 B.

Speaking in the plenary Assembly after the vote, the U.S. Representative, Sally M. Grooms, regretted that consensus had not been achieved and pointed out that the major disagreement was over a description of the NWICO which had previously been adopted by UNESCO and accepted by all delegations present in the Special Political Committee. The United States also objected to the paragraphs, referring only to the question of Namibia and the needs of

Palestine, and to no other questions on the agenda of international concerns. To point a finger at certain selective targets served no constructive purpose and distracted attention from the proper subject of the resolution. The resolution should deal with the work and objectives of the Department of Public Information and generally shared principles regarding the free flow of information worldwide.

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## Part 2

# Economic, Social, Scientific, and Human Rights Affairs

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Chapter III of the UN Charter established the General Assembly and the Economic and Social Council (ECOSOC) as the principal organs of the United Nations responsible for the issues covered in Part 2 of this report. ECOSOC's limited membership (54 countries) has, however, led the developing countries to prefer the General Assembly and its subsidiary bodies, where they enjoy their maximum voting strength, for substantive discussion and action on international economic issues, especially those directly related to development. As a result, the General Assembly has created entities (described in this part) for substantive discussion and action on international economic issues, especially those directly related to development. The most important of these is the UN Conference on Trade and Development (UNCTAD).

The General Assembly and its subsidiary bodies constitute the major arenas for what has come to be called the North/South dialogue between developed and developing countries. The North/South distinction between developed and developing countries, however, tends to mask the significant differences within each group and to overlook the high degree of economic interdependence which exists between developed and developing countries and between developing countries themselves. The United States, in concert with Group B, (Western industrialized countries) began an initiative in 1984 to improve the functioning and efficiency of UNCTAD and the North/South dialogue. The other arena for the North/South dialogue in 1984 was in the UN system review of the Third International Development Strategy. Nothing of significance occurred in 1984 in launching General Assembly resolution 34/138, calling for a "round of global and sustained negotiations" on several international economic issues.

The General Assembly, in its regular sessions, is organized into seven committees. The Second Committee is responsible primarily for economic affairs, and the Third Committee for cultural, humanitarian, and social matters. The committees receive some of their issues directly, but most are passed to them by ECOSOC.



ECOSOC consists of its plenary body; five regional economic commissions; several functional commissions; and a varying number of subcommissions, working groups, and expert groups. The regional economic commissions and many of the other bodies are covered in this part.

All elements of the UN system primarily concerned with the issues in this section usually report to the General Assembly through ECOSOC. It is authorized only to comment on reports from other bodies (such as UNCTAD and the specialized agencies) before conveying them to the General Assembly. In ECOSOC's summer session in Geneva, which focused primarily on UN economic development issues, priority consideration in the plenary was given to "the critical economic situation in Africa."

## **ECONOMIC ACTIVITIES**

### **International Development Strategy**

The International Development Strategy for the Third United Nations Development Decade (IDS) is contained in the annex to resolution 35/56 adopted at the 35th General Assembly session in 1980. Although adopted without a vote, the Strategy is a controversial document. The United States and most other developed countries made statements of reservation at the time of its adoption.

The weakness of the IDS is largely a result of its focus on global rather than on local action and on the activities of states rather than on individuals. Development depends primarily on a country's internal political and economic climate; on the presence or absence of incentives (profit); and on the ability (freedom) of individuals to respond to changing economic circumstances. These ideas are given short shrift in the IDS, which attends inordinately to the transfer of resources from rich to poor countries and to the restructuring of the international economic system. Nowhere does the Strategy deal with such vital factors as the elimination of price controls or the valuation of currency. The problem of inflation is mentioned, but no policy measures are offered for its control. IDS implementation is now a standard item on the agenda of almost all UN bodies. In addition, almost all UN resolutions on economic and social development refer to the IDS. Implementation of the IDS, therefore, involves the work programs of practically all UN agencies and is the subject of close UN attention. In 1984 a system-wide mid-term review of the Third IDS was conducted. The review, conducted on the basis of resolution 38/52, was based on the need to identify and appraise the real causes for shortfalls encountered in IDS implementation and to carry out the "adjustment, intensification or reformulation of the policy measures

foreseen in the Strategy in the light of evolving needs and developments.”

The Committee on the Review and Appraisal of the IDS met at UN Headquarters from May 7 to 25. The session ended inconclusively, with members agreeing to reconvene as an informal working group during the summer ECOSOC in Geneva. In addition, the Committee held informal consultations during the 39th General Assembly. Because of the lack of agreement between the developed and the developing countries on the IDS, no agreed or even bracketed Chairman's text was presented in the Committee's report to the 39th General Assembly. Rather, the report briefly commented that the Committee had met and contained as an annex various views on how the IDS might be altered, e.g., those of the Group of 77, the European Community, the United States, and also other entities of the UN system participating in the review.

On December 11 the Second Committee approved a draft resolution which had been submitted by the Vice Chairman of the Committee. The draft had been prepared on the basis of informal consultations held on a draft resolution submitted by Egypt on behalf of the Group of 77. The draft, *inter alia*, expressed disappointment that the Committee on Review and Appraisal was unable to carry out successfully its mandate; reaffirmed the urgent need to carry out the adjustment, intensification, or reformulation of the policy measures set out in the Strategy; and requested the Secretary General to undertake consultations and to submit his suggestions to ECOSOC at its organizational session in 1985 on the timing, duration, and necessary documentation for the resumed session of the Committee on the Review and Appraisal of the Third UN Development Decade. The draft was approved in Committee on December 11 and adopted by the General Assembly on December 17, in both instances without a vote. (Resolution 39/162.)

## Economic Commission for Europe

The Economic Commission for Europe (ECE), established in 1947, is one of five regional economic commissions which report to ECOSOC. It has 34 members.<sup>1</sup> Other UN member countries take part (e.g., Japan and Israel), in a consultative capacity, when matters of particular concern to them are considered. Composed largely of developed nations, ECE focuses on problems confronting modern industrialized societies. Decisions are normally made by consensus reached in deliberations between the Eastern and Western caucuses.

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<sup>1</sup>European members of the United Nations, the United States, Switzerland, and Canada.

ECE's terms of reference are broad, and over the years the nature of its work has paralleled changing European and Atlantic concerns. When first established, the ECE's principal focus was on European post-war economic reconstruction. Since then, the Commission has evolved into a forum where East and West can consult on economic and technical problems of common interest. The Final Act of the Conference on Security and Cooperation in Europe (CSCE) specifically accorded the ECE a number of responsibilities for multilateral activity in economics, science, technology, and the environment. The concluding document of the followup meeting of representatives of the participating states of the Conference on Security and Cooperation in Europe was signed in Madrid in 1983 and reaffirmed ECE's role as a forum for implementing provisions relating to energy, trade, air pollution, and transport.

ECE carries out its activities principally through 15 specialized committees—Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology; and a number of subsidiary bodies that deal with special problems included in the committees' programs. Additional subjects of interest to the Commission are dealt with by *ad hoc* groups, notably the Senior Advisers on Energy, the Group of Experts on Standardization Policies, and the Working Party on Engineering Industries and Automation. From time to time, and often in conjunction with other multilateral organizations such as FAO and ILO, ECE convenes special symposiums, seminars, and conferences. Study tours to member countries are occasionally arranged in connection with such meetings. A substantial number of U.S. Government departments and agencies, as well as Congressional and private sector representatives, actively participate in ECE-sponsored meetings.

The Commission's 39th plenary session was held April 3–14, 1984, in Geneva. The Commission examined the main economic problems facing Europe and North America, considering such issues as trade, energy, protection of the environment, and inland transport. Delegates reviewed the performance of the Commission as a whole during the previous year and approved future activities to be undertaken by the Commission and its subsidiary bodies. Debate in plenary focused on the work of the Commission as a whole, implications of the provisions of the concluding document of the 1983 Madrid meeting of representatives of participating states of the CSCE for the future work of the ECE, the work and future activities of the Commission, and proposals regarding all-European cooperation in the



field of protection of the environment, development of transport, energy, and other fields. Other agenda items related to economic cooperation in the Mediterranean in the light of the Final Act of the CSCE, development of trade and industrial cooperation, and the economic situation in Europe. Besides adoption of an omnibus resolution on the work of the Commission as a whole and its future activities, the plenary also adopted 13 decisions relating to concentration and integration of the Commission's work program, protection and improvement of the environment, the Conference on the Causes and Prevention of Damage to Forests and Water Through Air Pollution in Europe, air pollution, economic cooperation in the Mediterranean, an overall economic perspective to the year 2000, standardization, engineering industries and automation, standardization of summer time (daylight saving), the world conference on population, and the 1985 World Conference on the UN Decade for Women. No agreement was reached, however, on the convening of a fifth Senior Advisers Meeting on energy.

ECE's Committee on the Development of Trade is the UN's primary body dealing with East-West trade. This Committee has focused on issues such as countertrade, economic and commercial information, industrial cooperation, and trade promotion. After failures between the Western and Eastern caucuses in 1982 and 1983 to reach agreement on a work program due to differing points of reference, agreement was reached on a work program at the Committee meeting December 3-7, 1984, in Geneva. This agreement has bolstered prospects for improved East-West technical cooperation within the ECE region.

## **Economic and Social Commission for Asia and the Pacific**

The Economic and Social Commission for Asia and the Pacific (ESCAP) was established in 1947. The United States was 1 of the original 10 members. Currently, there are 35 members and 10 associate members. Five members (France, Netherlands, U.S.S.R., the United Kingdom, and the United States) are from outside the region, which covers an extensive area from Mongolia south to New Zealand and from Iran east to the Pacific island countries. ESCAP's Headquarters are in Bangkok, although some subsidiary bodies and other activities are located in other Asian cities.

ESCAP's primary role is to serve member countries by identifying problems in the areas of social and economic development; by providing a forum for debate on development issues; by providing technical assistance and advisory services; and by helping members attract outside assistance. It does not itself provide capital resources

but helps establish institutions to attract funds for regional and sub-regional projects which, in turn, supply development assistance.

The annual Commission sessions provide the main guidance for ESCAP's program and activities, while the Secretariat prepares reports, compiles statistics on current economic issues in the region for distribution to member governments, and prepares and services the meetings of the Commission and the following nine substantive committees: Agricultural Development; Development Planning; Industry, Human Settlements and Technology; Natural Resources; Population; Social Development; Statistics; Trade; and Shipping, Transport, and Communications. The present work program and activities are concentrated in six priority areas: food and agriculture, energy, raw materials and commodities, transfer of technology, international trade, and integrated rural development.

The United States contributes financially to ESCAP through its 25% assessed contribution to the UN regular budget. In addition, ESCAP receives funding from other UN agencies, especially UNDP, to which the United States is a major contributor. Finally, the United States has from time to time participated in individual ESCAP programs of special interest by providing extrabudgetary contributions.

The 40th Commission session, held in Tokyo April 17-27, 1984, was highlighted by agreement on a "Tokyo program on technology for development in Asia and the Pacific" and a "Tokyo Proclamation" of a transport and communications decade for the ESCAP region. Both programs were explicitly restrained to operate within available resources. The meeting moved in businesslike fashion through the agenda with relatively little political rhetoric.

The Iranians made a grandstand play for a resolution which in effect condemned Iraq for pollution of the environment by attacks on its oil fields in the Persian Gulf. After lengthy debate, an emasculated and very general resolution on oil was adopted. A number of changes in future Commission procedures were adopted with others referred to the Executive Secretary for further study, moves which should have some beneficial effects. The United States achieved a major objective in assuring that none of the new programs adopted would have significant budgetary implications.

## **Economic Commission for Latin America and the Caribbean**

The Economic Commission for Latin America (ECLA) was established in 1948 as a regional organization to promote the economic and social development of Latin America and to strengthen economic ties among Latin American countries and between them and

the rest of the world. To this end, ECLA produces studies of various sectors and issues within the Latin American economy; analyzes economic and social conditions in the region; reviews the progress of development plans and programs; and provides training and technical assistance. ECLA has 35 Western Hemisphere members (including the United States and Canada); 4 nonregional members (France, the United Kingdom, the Netherlands, and Spain); and 2 associate members (the Netherlands Antilles and Montserrat<sup>2</sup>). ECLA has its Headquarters in Santiago, Chile, and has branch offices in Washington and in six Latin American countries. •

The 20th ECLA plenary was held in Lima, Peru, March 29–April 6, 1984, to consider changes in ECLA's membership and the name of the Commission; to review ECLA's activities since the last plenary in 1981, as well as to review the work program proposed for 1986–87; and to consider ECLA's response to the international economic situation, particularly the Latin American debt crisis.

The session adopted by consensus ECLA resolution 452 (XX), admitting Portugal as a member of ECLA, and resolutions 453 (XX) and 454 (XX), admitting the British Virgin Islands and the U.S. Virgin Islands, respectively, as associate members. In remarks accepting associate membership, the U.S. Virgin Islands Representative commented that those islands as a Caribbean entity will benefit from the social and economic programs offered by ECLA as well as contribute to the work of the Commission.

The plenary also approved ECLA resolution 455 (XX), changing the name of ECLA to the Economic Commission for Latin America and the Caribbean (ECLAC). The name change was proposed by the Caribbean Development and Cooperation Committee (CDCC) (ECLAC's Caribbean grouping), so that the Commission would more fully reflect the growth of the Commission's membership in the 1960's, 1970's, and 1980's as a result of independence of a number of Caribbean countries during those decades.

Other resolutions adopted related to, *inter alia*, ECLAC's activities in the field of water resources, human settlements, the Latin American Institute for Economic and Social Planning (ILPES), the integration of women into development, strengthening of the Latin American Demographic Center (CELADE), and the work program for 1986–87 and the calendar of conferences for 1985–87.

In 1984 ECLAC, along with other commissions and entities of the UN System, conducted a mid-term review of its implementation of the UN Third International Development Strategy (IDS). In previous ECLAC plenaries, review of the IDS had been an extremely

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<sup>2</sup>The Associated States of St. Kitts-Nevis and Anguilla and the Territory of Montserrat (collectively as a single member).



contentious issue because ECLAC's developed countries and the Latin American caucus, i.e., the LDC's, could not achieve a consensus resolution on the subject. The developed countries, particularly the United States, had found unacceptable certain references to the New International Economic Order, e.g., language on the debt and development targets. This potential conflict was avoided at the 20th session by agreement that there would be no resolution introduced or debated on the IDS, but rather the views of all countries would be heard and reflected in the summary report of the plenary and forwarded to ECOSOC and the 39th General Assembly.

In the substantive international economic area, the Latin American debt crisis was the center of contention at the plenary. At a meeting held in Montevideo in January 1984, the LDC caucus reached agreement on a document entitled "Internal Adjustment Policies and the Renegotiation of the External Debt." This paper became the basis for discussion of the debt issue at the plenary session. It reiterated several themes stressed at Latin American economic conferences held in Santo Domingo in August 1983 and Quito in January 1984. These themes include, *inter alia*, the need for understanding on the part of the industrialized countries in the current international economic crisis, for improvement in terms of repayment of external debt, and for concentration by Latin Americans on efforts to increase intraregional trade and improve regional integration. The United States, in its presentation on the debt issue, emphasized its five-point, country-by-country approach to the debt issue which was successfully working to alleviate the debt crisis. There was no consensus on the resolution presented under this item, and on a roll call vote the United States voted against the resolution, while the other ECLAC developed countries abstained. In explaining its vote, the U.S. Delegation stressed that (1) any successful strategy to deal with the external debt problem must also consider internal adjustment policies; (2) a call for reduction in protectionism in developed countries made in the resolution should be joined by similar opposition to protectionist measures in developing countries; (3) it could not accept the concept of co-responsibility of developed countries in relation to the debt problem, since the co-responsibility question was mainly concerned with the private banking sector and the developing countries that had contracted the debt; and (4) it felt that the text of the resolution gave too much emphasis to external causes and to the alleged impact of developed countries' monetary and fiscal policies on interest rates.

## **Economic Commission for Africa**

The Economic Commission for Africa (ECA) was established in 1958 as a subsidiary body of ECOSOC. Full membership is limited to

independent African countries, of which 51 are currently members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA Headquarters in Addis Ababa, Ethiopia, attending some of its meetings as an observer, and providing financial and technical assistance through the U.S. Agency for International Development (AID).

The ECA is charged with: (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies on economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping to formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

In 1983 AID concluded a new technical assistance agreement with the ECA to provide \$710,000 during the years 1983-87 to be used for the support of two projects which will (a) strengthen human resources planning and development management training at the Institute for Economic Development and Planning in Dakar, Senegal, and (b) improve the communications capability of ECA's African Training and Research Center for Women. This program was continued throughout 1984.

ECA's 10th Ministerial meeting was held in Addis Ababa, May 22-29, 1984. Major topics on the agenda were the critical economic situation in Africa, the critical situation of food and agriculture on the continent, and Africa's external debt and its impact on the current economic crisis. It also reviewed the UN development efforts on the continent and evaluated the progress of efforts to implement the Lagos Plan of Action and the Final Act of Lagos. The session also heard reports from subsidiary bodies of the Commission, including the International Youth Year regional meeting, the third session of the Joint Conference of African Planners, the Statisticians and Demographers meeting, and the fifth meeting of the African Regional Coordinating Committee for the Integration of Women in Development.

Unfortunately, ECA has developed into one of the most profligate of UN bodies. Major additions to the UN budget which originated in ECA include the Transport and Communications Decade in Africa and the Industrial Development Decade for Africa, both opposed on financial grounds by the United States. Even more controversial was a decision to spend \$73.5 million on a new conference center for ECA in famine-ravaged Ethiopia.

## **U.S.-AFRICAN ECONOMIC POLICY REFORM PROGRAM**

The critical economic situation in Africa was also a priority agenda item at the 1984 summer ECOSOC session and the 39th

General Assembly. While agreement on an omnibus resolution on the crisis was not reached in ECOSOC, a consensus declaration was reached in the General Assembly. Throughout these sessions, the U.S. Delegations highlighted our record of humanitarian assistance to the region, noting that in 1984 the U.S. Congress had approved a supplemental appropriation of \$150 million to relieve the immediate food emergency needs in Africa during fiscal year 1984. In addition, our delegations noted that in January 1984 the United States had announced a new policy initiative, now known as the African Economic Policy Reform Program (AEPRP), to improve the policy environment for economic development.

The AEPRP adds an essential element to our ongoing assistance programs which are helping build the institutions and skills needed for long-term development. The Administration has asked Congress for \$500 million additional assistance for Africa over 5 fiscal years, beginning with a \$75 million appropriation request for fiscal year 1985 which has been approved. In consultation with the World Bank and other donors, the United States will direct these resources to a limited number of African countries which have established, or are willing to establish, a growth-oriented policy framework and are willing to implement the appropriate policy reforms. Food production and agricultural policies, such as better farm-gate prices and free marketing, are especially important in Africa. The criteria for participation include adopting sound market-oriented economic policies, the commitment of the leadership to such policies, a cooperative donor framework, and a U.S. policy determination that additional resources could make a difference.

AEPRP funds will be used in the selected countries to help implement reform at the macroeconomic and sectoral level, particularly in agriculture. For example, they might strengthen the private sector's capacity to market agricultural production in a country where government-controlled marketing boards had been dominant.

The United States has invited other donors and institutions to join us in this effort. Increased donor coordination should help African governments develop more comprehensive approaches to the range of their short-, medium-, and long-term economic problems and objectives. The World Bank is willing to play a leadership role in this effort. In some countries, we foresee the strengthening of the World Bank's Consultative Group mechanism as a major step in that process. For other African countries, another venue or a less formal approach may be desirable. The new program will help to improve other bilateral and multilateral assistance programs in a catalytic manner and thereby impact far more than the actual sum suggests.



## **Economic Commission for Western Asia**

The Economic Commission for Western Asia (ECWA) came into existence on January 1, 1974. Its current membership includes Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and the PLO. The United States had objected in 1973 to the exclusion of Israel, which is in the geographical area of the Commission, and in 1977 to the inclusion of the PLO. ECOSOC subsequently approved the recommendation by a vote of 27 to 11 (U.S.), with 12 abstentions.

The United States was successful, however, in defeating an effort at the 1979 summer conference of ECOSOC to expel Egypt from ECWA. In 1981 ECWA moved its Headquarters from Beirut to Baghdad, Iraq, because of war damage to Beirut.

The 11th session of ECWA was held in Baghdad from April 22-26, 1984. ECWA's Standing Committee on the Program met at the same time. In addition to ECWA members (except Syria, which was not present), several countries attended the meeting as observers, including the United States.

ECWA's 1984-85 biennium has 15 program areas. However, in order to concentrate its limited resources on high priority programs, the Secretariat has selected eight priority fields: industrialization, food security, rural development, science and technology, human resources development, development strategies, including the least developed countries, data development, and energy. The need to establish and maintain priorities is especially important in light of ECWA's continuing problem of personnel shortages, which has resulted in non-implementation of several work program projects. Because of personnel shortages and limited resources, the ECWA Secretariat went to great lengths at the 11th session to demonstrate the increased coordination between ECWA and other international organizations' activities in the area.

ECWA is funded from the UN general budget and obtains support for individual programs from member states.

## **United Nations Development Program**

The United Nations Development Program (UNDP) is a voluntary fund which finances the world's largest multilateral program of grant technical assistance. Established in 1966 through the merger of two earlier UN programs, the Special Fund and the Expanded Program of Technical Assistance, UNDP was created by the General Assembly to be the main UN mechanism for funding technical assistance activities. In recent years the proportion of UN technical assistance activities funded by UNDP has decreased significantly. UNDP provides technical assistance to developing countries and territories

at their request, with increasing emphasis on assisting the poorest countries. In 1984 UNDP projects were underway in approximately 150 countries and territories.

UNDP's programs consist of projects of a few months to several years in duration in fields such as agriculture, industry, education, health, economic policy and planning, transportation, and natural resource exploration. UNDP also undertakes smaller projects designed to provide fellowships for the training of nationals of developing countries and to provide such countries with required skills through the use of expert advisers.

In addition, UNDP undertakes pre-investment and feasibility studies intended to promote developing country and external investor interest in capital projects which will expand production and employment. Projects are normally executed for UNDP by 1 of the 35 participating agencies of the UN system such as FAO, the UN Department of Technical Cooperation for Development (DTCD), UNIDO, ILO, UNESCO, World Bank, or ICAO. UNDP also directly undertakes a small number of projects through its own Office for Projects Execution.

UNDP has its Headquarters in New York. Its Administrator, Bradford Morse of the United States, first took office in January 1976. On December 15, 1983, consistent with U.S. efforts to place our nationals in policymaking positions, the General Assembly approved the UN Secretary General's nomination of Mr. Morse to serve a third 4-year term as Administrator, beginning on January 1, 1984.

## **GOVERNING AND ADVISORY BODIES**

UNDP is a subsidiary organ of the UN General Assembly, which sets overall UNDP policy. UNDP's operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states—21 developed and 27 developing<sup>3</sup>—which reports to the General Assembly through ECOSOC. States are elected to the Council for 3-year terms by ECOSOC. Because of the importance of U.S. participation in UNDP affairs, the United States has been a member of the Governing

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<sup>3</sup>The following states were members of the UNDP Governing Council in 1984: Argentina, Australia, Austria, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Canada, Central African Republic, Chad, China, Denmark, Ecuador, Federal Republic of Germany, Fiji, Finland, France, German Democratic Republic, Guinea, India, Italy, Japan, Lesotho, Mali, Mauritania, Mexico, Nepal, Netherlands, Niger, Pakistan, Philippines, Poland, Somalia, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Turkey, U.S.S.R., United Kingdom, United Republic of Tanzania, United States, Venezuela, Yemen (Sanaa), Yugoslavia, and Zambia.

Council since its establishment. The Council holds regular sessions once a year in June, preceded by a brief organizational meeting in February.

In 1984 the UNDP Governing Council administered the following bodies: UN Capital Development Fund, UN Volunteers, UN Revolving Fund for Natural Resources Exploration, UN Sudano-Sahelian Office, UN Financing System for Science and Technology for Development, UN Trust Fund for Colonial Countries and Peoples, Energy Account, UN Special Fund for Landlocked Developing Countries, UNDP Trust Fund for Projects Financed by the Voluntary Fund for the UN Decade for Women, Program of Assistance to the Palestinian People, Technical Cooperation Among Developing Countries, and the Interagency Procurement Services Unit. The Council is responsible for providing policy guidance for the small program of technical assistance financed from the regular UN budget. It also serves as the governing body for the UN Fund for Population Activities.

## **SECRETARIAT AND FIELD ORGANIZATION**

UNDP's administrative apparatus consists of a Secretariat in New York and 116 offices in developing countries and territories where programs are being carried out.

Assisted by their staffs, UNDP Resident Representatives advise recipient governments on development planning and UN assistance. Within their countries of assignment, they coordinate the operation of programs financed by UNDP and (where a program exists) the UN Revolving Fund for Natural Resources Exploration. Resident Representatives also act on behalf of, and furnish support for, such other UN agencies as the World Food Program, the UN Environment Program, the Office of the UN Disaster Relief Coordinator, and the UN Department of Technical Cooperation for Development. In most countries, the UN Secretary General has designated the UNDP Resident Representative as Resident Coordinator of the UN Operational Activities for Development. As such, he/she is responsible for the general oversight of all development activities within the UN system in the country to which he/she is accredited.

## **PROGRAM DEVELOPMENT**

### **Patterns of Development Assistance .**

UNDP development assistance is provided to individual countries and intercountry activities on the basis of indicative planning figures (IPF's) computed to cover 5-year planning cycles. The First Planning Cycle extended from 1972 through 1976; the Second Cycle occupied the period from 1977 through 1981; and the Third Cycle began in 1982



and will run through 1986. IPF's in the First Cycle were set largely on the basis of the aid supplied by UNDP from 1967 through 1971. That is, countries were given a claim upon UNDP resources during that cycle equal to the percentage of UNDP assistance they actually received in the earlier 5-year period. IPF figures for the Second Planning Cycle were calculated primarily on the basis of country populations and per capita GNP's. In allocating the IPF's for the Third Cycle, the Governing Council determined, with strong U.S. support, to give highest priority to countries with the lowest per capita GNP's and which were otherwise disadvantaged. This decision was adopted without a vote June 26, 1980. (Decision 80/30.)

Over the years, there has been a significant shift in the allocation of UNDP's resources. The percentage of UNDP assistance going to countries or territories with per capita GNP's below \$500 has increased from 42% in the First Planning Cycle to a planned 61% in the Third Cycle. Over the same period, the share of UNDP assistance going to the least developed countries (as designated by the UN General Assembly) has increased from 24.1% to 40.2%.

### **Activities and Analysis**

In February 1984 the Governing Council met in New York in an organizational meeting for its 31st session. Two main themes emerged from the organizational meeting—governance and effectiveness. The United States, along with other donors, argued for greater governance which would lead to greater effectiveness. At the same time, the recipient countries favored less governance, basing their stance on the sovereignty issue.

Throughout the organizational meeting, the United States led the support for legitimizing the Committee of the Whole on Program Matters and making sure that the Committee had adequate meeting time for action during the 31st Governing Council without competing with other bodies of the Council.

In early June, the Governing Council met in Geneva for its 31st session. This session enjoyed high-level participation seldom seen at the Governing Council. The Prime Minister of Jamaica led the high-level group, followed by the Foreign Minister of Japan. Ambassador Kirkpatrick and Assistant Secretary Newell represented the United States and addressed the Council.

The Committee of the Whole, created as an experimental mechanism for providing more systematic and detailed review of UNDP programming and evaluation, met for 1 week without competition from the plenary. Despite some effort to dilute its success, the Committee considered new programs for Benin, Swaziland, Lebanon, Bolivia, El Salvador, Afghanistan, and Singapore and recommended their approval, except for Afghanistan, to the Govern-

ing Council. The Committee also heard implementation reports for interregional and global programs.

The United States assumed a leadership role in the Governing Council, assuring that in-country aid coordination would emerge as the central theme. UNDP has a mandate to reach its potential as a coordinator without infringing on the role of other institutions such as IBRD and IMF. Within the in-country aid coordination theme, delegates gave principal emphasis to Roundtables as a major tool for improvement. The donor group, including the United States, argued that better coordination through Roundtables required that UNDP play a central role within the United Nations, institute better program evaluation, make more use of macroeconomic data, benefit from a broader resource base, employ fewer special funds, and limit its acceptance of tied procurement arrangements. During 1984 the United States gave concrete support to coordination through supporting better Roundtables; offering macroeconomic data for selected countries; and requesting meetings with UNDP to explore additional coordination opportunities.

The Governing Council addressed other subjects, among which were changing needs for technical assistance, mid-term review, preparations for the Fourth Planning Cycle (1987-91), International Congress on Human Resources Development, implementation of the substantial new Program of Action for the least developed countries, and a review of the financial situation. The United States contributed \$160 million to UNDP in 1984, up \$20 million or 14.3% from our 1983 level. The U.S. contribution represented 23% of the \$695.2 million in voluntary pledges to UNDP in 1984.

## **CAPITAL DEVELOPMENT FUND**

The UN Capital Development Fund (UNCDF) is a trust fund administered by the UN Development Program. UNCDF provides modest grants to small-scale endeavors that use simple technology to create or upgrade agricultural and industrial infrastructure and facilities. The General Assembly in 1966 established UNCDF, which in the years since has assisted projects in 43 least developed countries for the benefit of the poorest people. UNCDF seeks to improve local production and expand indigenous skills, which, in turn, reduce reliance on outside assistance and promote private initiative. The projects, being relatively small and applying appropriate technology, provide the participants with a sense of identification, motivation, and early results. In addition, UNCDF seeks the widest participation by the beneficiary group and the maximum use of local resources. Fund projects have included the building of irrigation and food storage facilities; construction of rural schools and health centers; establishment of cottage industries, cooperatives, and credit unions;

and provision of vocational training facilities. Fund activities also create demand for imported goods.

The UNDP Administrator serves as the Fund's Managing Director. Although UNCDF has a small administrative staff in New York headed by an Executive Secretary, it relies on UNDP for proposing and monitoring field projects. The UNDP Governing Council provides policy guidance to UNCDF. At the 31st Governing Council in June 1984, the Administrator reported that during 1983, UNCDF approved \$29.2 million in commitments for 20 new projects. Accumulative project expenditures amounted to \$24.8 million against 185 projects. The Governing Council approved the extension of authorization for 2 years (until 1986) for UNCDF to receive contributions based upon procurement in the donor countries. The United States first contributed to UNCDF in 1978 and since then has contributed \$2 million annually. The \$2 million contribution in 1984 represented approximately 9% of total UNCDF pledges. Sweden (\$4 million) offered the largest pledge, followed by the Netherlands (\$3.8 million), and Norway (\$2.9 million). The trend in voluntary contributions to UNCDF has been down: 1981, \$31 million; 1982, \$26.2 million; 1983, \$24.3 million; and 1984, \$21.6 million in pledges.

## **UNITED NATIONS VOLUNTEERS**

The United Nations Volunteers (UNV) program, established by the General Assembly at its 25th session, has been in operation since January 1, 1971. The aim of the program is to provide young, educated, and skilled volunteers, upon the explicit request and approval of recipient countries, to assist in development activities. Volunteers are recruited on as wide a geographical basis as possible, including in particular the developing countries, for service in requesting countries. In response to a General Assembly request, the Administrator of UNDP has been designated to serve as the Administrator of the UNV. A coordinator has been named to promote and coordinate the recruitment, selection, and administrative management of the activities of the volunteers within the UN system. This arrangement permits a smooth dovetailing of UNDP's technical assistance activities with the expertise available through the volunteer program. Many volunteers are assigned to UNDP field offices or to the projects funded by UNDP and executed by the specialized agencies of the UN system.

In establishing the UNV program, the General Assembly invited member states of the United Nations and the specialized agencies, international non-governmental organizations, and individuals to contribute to the Special Voluntary Fund created for the support of the activities of the volunteers. These volunteers are specialists at the level (middle-level and operational) for which they volunteer and are



assigned. In certain projects, volunteers at \$14,000 per volunteer/year are more cost-effective and appropriate than experts at \$75,000–\$100,000 per expert/year. At its session in 1979, the General Assembly endorsed a recommendation of the UNDP Governing Council that the number of volunteers be increased to 1,000 by 1983. For the past 2 years, the actual number of volunteers has fluctuated around 1,000. The UNDP Administrator reported to the 31st session of the Governing Council in June 1984 that the number of volunteers in service or in route at the end of 1983 was 983. Some 48% of the volunteers were serving in 415 projects in Africa. Volunteers were serving in 89 countries, about 40% in the agriculture, health, and education sectors. They were recruited from 73 countries—159, 17%, from industrialized countries, and 722, 83%, from developing countries.

The Administrator also reported that UNV participated in consultative meetings, roundtables, and programming missions to several Asian countries, and a number of tripartite reviews to gain publicity and understanding of its existence and capability as a relevant alternative tool for technical cooperation. Paralleling these actions, UNV developed a more active information and media program. The Governing Council approved an allocation of \$1.5 million from Special Program Resources for a regional project in Africa providing 100 volunteers to assist in the implementation of emergency assistance programs. As a cooperating agency with UNV, the Peace Corps works closely with the organization, recruiting and sponsoring volunteers and providing certain of their expenses. The United States, through the Peace Corps budget, contributed \$150,000 in 1984, 12.4% of UNV's voluntary pledges. In addition, the Peace Corps spent \$186,000 on U.S. volunteers' expenses. During 1984, 21 volunteers from the United States participated for the first time in the program. Belgium, the Netherlands, and Switzerland were major supporters of UNV.

## **United Nations Industrial Development Organization**

Formed in 1967, the UN Industrial Development Organization is a semiautonomous organization within the United Nations. It seeks to promote and accelerate the industrialization of developing countries by providing technical assistance and related services. Membership in UNIDO, which is headquartered in Vienna, is open to all members of the United Nations, its specialized agencies, and the IAEA. The United States has been a member since UNIDO's inception.

UNIDO's General Conferences, to which all UNIDO member states are invited, have met about every 4 years to consider long-

range policy for the organization. The fourth General Conference (UNIDO IV) was held in Vienna in August 1984. The Industrial Development Board (IDB) sets UNIDO's policy on a yearly basis and examines UNIDO's actual work program. It is comprised of 45 states elected by the General Assembly on a rotating basis for 3-year terms.<sup>4</sup>

The United States was reelected to the Board by the 38th General Assembly to a term beginning January 1, 1984. During the year, the IDB met once, in Vienna May 2-19. The Board's Permanent Committee, a subsidiary of the IDB, held its 21st session in Vienna, November 19-23.

The Executive Director of UNIDO is Dr. Abd-El Rahman Khane of Algeria, who was appointed in 1975. His term was extended at the end of 1984 by the Secretary General of the UN for another 2 years or until UNIDO becomes a specialized agency.

UNIDO's regular budget funding currently comes from the United Nations. In December 1984 the 39th General Assembly approved a revised budget for UNIDO for the 1984-85 biennium of \$74,323,300, an increase of \$2,173,800 over the initial appropriation of \$72,149,500. Thus, the U.S. assessed contribution to the United Nations contained approximately \$9.3 million toward UNIDO's 1984 regular annual budget of about \$37 million. Voluntary contributions fund most of UNIDO's technical assistance projects, which amounted to about \$90 million in 1984. Of this amount, approximately 75% came from the UN Development Program (UNDP), 20% from the UN Industrial Development Fund (UNIDF), and 3% from the UN assessed budget's regular program of technical assistance.

The 18th session of the Industrial Development Board in May was attended by representatives of 42 member states and 33 observers from UN organizations, other intergovernmental and non-governmental groups, and 4 national liberation movements. To a considerable extent, the meeting was overshadowed by preparation for UNIDO IV in August. A useful result of the meeting was to provide the Secretariat with focused guidance on its work.

The Board was supportive of proposals for an industrial development decade for Africa. By varying votes, it also supported technical assistance to the South African national liberation movements (U.S. abstained), to the Palestinian people (U.S. opposed), to the Namibian people (U.S. opposed), and increased financial support for the UN Industrial Development Fund. The Board ini-

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<sup>4</sup>Members of the IDB in 1984 included Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Chad, Chile, China, Democratic Yemen, Finland, France, Federal Republic of Germany, Ghana, Hungary, India, Indonesia, Iraq, Italy, Japan, Lesotho, Liberia, Libya, Malawi, Malaysia, Mexico, Netherlands, Norway, Pakistan, Panama, Peru, Romania, Rwanda, Sierra Leone, Spain, Sudan, Switzerland, Turkey, Uganda, Ukrainian S.S.R., U.S.S.R., United Arab Emirates, United Kingdom, United States, and Venezuela.

tiated an appraisal of the System of Consultations, including studies of its cost and achievements. Among other subjects considered by the Board were: restructuring of world industrial production and re-deployment (the Secretariat was requested to prepare a report for the next IDB session describing how UNIDO might facilitate participation in the process); the transfer of technology; evaluation; the UN Industrial Development Fund; preparation for UNIDO IV; and the failure of member countries to agree on a location for the International Center for Genetic Engineering and Biotechnology.

Delegates from 139 states participated in UNIDO IV, which was convened August 2-19 in Vienna; there were also representatives of 25 UN groups, 7 specialized agencies, IAEA and GATT, 29 inter-governmental organizations, 33 international nongovernmental bodies, and 4 national liberation movements. Some 15 plenary meetings were held, during which 12 resolutions were adopted by consensus and 3 by divided vote. Largely because of U.S. objection, work was not completed on resolutions on mobilization of financial resources of industrialization and world industrial restructuring and redeployment. These were submitted to the 39th General Assembly without U.S. concurrence. The United States could not accept the first because it was too far-reaching in calling for reform of the international monetary system; the second was unacceptable because of its call for a global international conference on industrial financing. The United States considered both matters outside the UNIDO mandate.

The United States found it necessary to vote against the Conference's concluding statement, which was intended to describe the world economic situation and measures that could be taken for its improvement. This statement was adopted by a vote of 79 to 1 (U.S.), with 12 abstentions. The U.S. position was that the statement was unbalanced, too pessimistic, and failed to reflect the benefits of the spreading world economic recovery. In addition, the United States considered that the statement laid too much emphasis on external economic factors and not enough on the value of internal reforms for improving the economic performance of the less-developed countries.

The three resolutions not adopted by consensus called for cessation of the war between Iran and Iraq, technical assistance to the Palestinian people, and technical assistance to African national liberation movements recognized by the OAU. On the other hand, there was consensus agreement on all issues within UNIDO's mandate and competence, which included human resources, energy, rural development, science and technology, processing of raw materials, strengthening of economic cooperation among developing countries, industrial development for Africa, and coordination in the UN system. The United States supported these consensus resolutions



as having a positive impact in developing countries and giving practical guidance for UNIDO operations in the future.

The November session of the Permanent Committee served as a further stepping stone to UNIDO's emergence as a specialized agency. The Committee emphasized the need to strengthen UNIDO's role as the UN coordinating agency in the field of industrial development and the Senior Industrial Development Field Adviser (SIDFA) program. It also discussed aspects of management improvement, including the establishment of priorities, evaluation, document control, and budget clarification. The Executive Director was requested to develop a revised program of work for the 1986-87 biennium in the light of views expressed during the session. In this connection, Group B (Western states) agreed that the program needed to reflect more fully the UNIDO IV resolution on the integration of women in industrial development.

## **NEW CONSTITUTION**

On April 8, 1979, after 3 years of negotiations, the UN Conference on the Establishment of UNIDO as a Specialized Agency adopted a Constitution by consensus. The conference also adopted a final act providing for a transition stage. After 80 states have ratified the Constitution, a conference of all ratifying states may consult and determine the date on which the new Constitution should enter into force.

By the end of 1984, over 100 states had ratified the Constitution. The U.S. Senate gave its advice and consent to ratification June 21, 1983, and the President deposited the instrument of ratification with the Secretary General on September 2, 1983. The Soviet Union had not ratified by the end of 1984, and many members, including U.S. friends and allies in Group B as well as Japan, indicated their reluctance to proceed without the Eastern European countries lest they thereby incur a liability for increased contributions. (The U.S. contribution is capped at 25%.) It is expected that the U.S.S.R. will ratify the Constitution during 1985 and that UNIDO will become a specialized agency by the end of 1985.

## **INVESTMENT COOPERATIVE PROGRAM OFFICE**

The Investment Cooperative Program Office is responsible for promoting private and public investment in industrial projects in developing countries. The program is facilitated through a cooperative arrangement with the World Bank and through eight Investment Promotion Services located in New York, Brussels, Cologne, Vienna, Zurich, Tokyo, Paris, and Warsaw.

The Industrial Investment Promotion Service in New York, established in 1977, conducts an intensive training program for investment promotion officers from developing countries. Participants learn to use the tools of promotion, analyze budgets, and understand U.S. requirements, attitudes, and practices in international business. Finally, participants put their training to use by negotiating with U.S. investors on projects in their home countries. The New York office now helps stimulate over \$100 million annually in private sector investment in developing countries. The U.S. Agency for International Development made about \$188,000 available to the New York Investment Promotion Service in 1984 to fund the participation of Caribbean trainees in the program. It also provided \$100,000 from its Program Development and Support account to help cover the overhead expenses of the office. The New York office is the only one of the eight that is not fully funded by the host country.

## **SYSTEM OF CONSULTATIONS**

UNIDO's System of Consultations is a continuing series of international meetings to consider problems in specific industrial sectors encountered by the less-developed countries in the industrialization process and ways in which international cooperation can help alleviate them. These gatherings typically attract up to 150-200 industrial experts from government, business, labor, and consumer and other interested groups from as many as 55-65 countries. During 1984 consultations related to the fertilizer, leather, and food processing industries, U.S. participation relied heavily on the cooperation of private sector experts with Department of State and other government participants.

## **TRUST FUND**

The UN Industrial Development Fund (UNIDF) received 1984 pledges estimated at \$13.7 million for specific technical assistance projects as well as unspecified pledges. These fell into four main categories: general purpose funds in convertible currencies and nonconvertible currencies and special purpose contributions in convertible and nonconvertible currencies. Major donors to the fund have been the Federal Republic of Germany, India, Italy, Saudi Arabia, Sweden, the United Kingdom, and the U.S.S.R. The United States did not contribute to the fund but continued its practice of supporting UNIDO financially through its annual voluntary contribution to UNDP and through its assessed contributions to the UN regular budget.

## GENERAL ASSEMBLY

At the 39th General Assembly, 15 countries were elected members of the Board for 3-year terms beginning January 1, 1985. The African and Asian states elected were China, Iraq, Lesotho, Liberia, Malaysia, and Sierra Leone. Group B<sup>5</sup> states were Australia, Federal Republic of Germany, Spain, Turkey, and the United Kingdom. Mexico, Panama, and Venezuela were elected from Latin America, and the Ukrainian S.S.R. from Eastern Europe. (Decision 39/309.)

The Second Committee considered five draft resolutions and three draft decisions at three meetings between November 13 and December 14.

Three of the draft resolutions were introduced by Egypt on behalf of the Group of 77. The first two were withdrawn and substituted by draft resolutions prepared by the Vice Chairman of the Committee on the basis of informal consultations held on the original drafts. The resolutions were adopted in the plenary Assembly on December 18.

The first, entitled "Conversion of the UN Industrial Development Organization into a specialized agency," *inter alia*, endorsed the Secretary General's report on the conversion; invited member states to ratify the UNIDO Constitution without further delay; and decided that adequate resources should be provided in the regular UNIDO budget for 1984-85 to ensure the provision of necessary funds for the first General Conference of UNIDO and other costs associated with the conversion. The draft was approved in Committee without a vote and adopted in the same manner in the plenary Assembly. (Resolution 39/231.)

The second draft resolution, "Industrial Development Cooperation," was approved in the Committee by a vote of 92 to 2 (U.S.), with 28 abstentions, and adopted by the General Assembly by a vote of 118 to 2 (U.S.), with 27 abstentions. (Resolution 39/232.) The resolution, among other things, decided that adequate resources should be provided in the UNIDO budget to implement fully its mandate; welcomed announcement to allocate new and additional voluntary contributions to the UN Industrial Development Fund; and called upon all countries, particularly the developed countries, to increase their donations to the Fund to reach, at the earliest possible date, the agreed desirable funding level of \$50 million a year.

The third draft concerned the "Industrial Development Decade for Africa." The financial aspects of this draft endorsed the appeal made by the Seventh Conference of African Ministers of Industry, Addis

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<sup>5</sup>Members of the IDB are assigned to Group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.\*



Ababa, 1984, for the allocation of at least \$5 million, on a permanent basis from the regular UN budget, in order to enable UNIDO to assist African countries and intergovernmental organizations concerned in the implementation of the program for the Industrial Development Decade. (The draft was approved in the Committee by a vote of 93 to 1 (U.S.), with 28 abstentions, and adopted in the plenary Assembly by a vote of 120 to 1 (U.S.), with 28 abstentions. (Resolution 39/233.))

Speaking in Committee after these draft resolutions were voted on, the U.S. Representative, Gerald R. Scott, said that his government had opposed the second draft because, instead of noting the positive trends in world economic activities and the opportunities they presented to the developing countries, it continued to speak of the continuing negative impact of the world economic crisis. It also gave too negative a view of UNIDO IV and had allocated over \$1 million to a program which UNDP had refused to fund because to do so would be an inefficient use of its scarce resources. He added that his delegation had opposed the third draft resolution because of the financial implications it had for the regular budget. It was felt especially inappropriate to spend large sums of money for the purposes outlined in the draft at a time when millions were starving.

On December 10 and 14 the Vice Chairman of the Committee introduced two draft resolutions and three decisions, all of which were approved and adopted without vote. The first draft resolution merely decided to include Brunei Darussalam in the list of states that are eligible for IDB membership. (Resolution 39/234.)

A draft resolution entitled "World industrial restructuring and redeployment" delineated, *inter alia*, guidelines for UNIDO and the System of Consultations to improve their efficiency. It also recommended strengthening the Investment Promotion Services of UNIDO by continuing to build a network of national promotion centers in developed and developing countries; that these services should mobilize outside resources for identified investment projects, especially those related to the implementation of the Industrial Development Decade for Africa, and maintain close coordination with developing countries' programs and promote projects falling within the national objectives and priorities of developing countries. (Resolution 39/235.)

The draft decisions concerned: (1) world industrial restructuring and redeployment and requested the Secretary General to attach resolution 39/235 to the report of UNIDO IV as an addendum; (2) the decision to transmit to the 40th General Assembly for consideration a draft resolution on mobilization of financial resources for industrial development forwarded by UNIDO IV to the Secretary General; and (3) the General Assembly took note of the report of UNIDO IV. (Decisions 39/446, 39/447, and 39/448.)

On December 10 the General Assembly confirmed the Secretary General's appointment of Abd-El Rahman Khane as Executive Director of UNIDO for a further period of 2 years ending December 31, 1986, or until the date on which the Director General of the new UNIDO assumes office, whichever is earlier. (Decision 39/315.)

## General Agreement on Tariffs and Trade

The General Agreement on Tariffs and Trade (GATT) is not a part of the UN system,<sup>6</sup> although it was created at a UN-sponsored conference. GATT also cooperates with UN organizations, where appropriate. For example, the GATT Contracting Parties and UNCTAD jointly operate an International Trade Center to assist developing countries in promoting their exports.

The General Agreement is an international agreement which entered into force in January 1948. The United States has been a party to the GATT since its inception. In 1984, 90 countries, accounting for more than four-fifths of world trade, were members of GATT. An additional 32 countries have either acceded provisionally or maintain a *de facto* "application" of the GATT.

GATT is the principal multilateral instrument through which the United States is working to improve the world trading system. It is both a code of rules and a forum in which negotiations and other trade discussions take place. GATT is intended to play a major role in the settlement of trade disagreements between member countries.

The most recent of the seven multilateral rounds of trade negotiations under GATT auspices was the Tokyo Round, launched in September 1973 and completed in 1979. In addition to tariff reductions now being phased in by the participating countries, for the first time the Tokyo Round produced agreement on rules of conduct in nontariff areas. Codes on subsidies and countervailing duties; technical barriers to trade (standards); import licensing procedures; antidumping; and trade in bovine meat, dairy products, and civil aircraft all went into effect in January 1980. The codes covering government procurement and customs valuation went into effect at the beginning of 1981. The work program adopted in November 1979 gave first priority to implementing the Tokyo Round results, and Committees have been established to administer each of the code agreements.

In November 1982 the Contracting Parties met at the Ministerial level for the first time in nearly 10 years. The depressed worldwide

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<sup>6</sup>GATT's administrative operations, however, are fully coordinated with the "UN Common System of Salaries, Allowances, and Other Conditions of Service," and GATT participates as a full member in the work of the UN system's Administrative Committee on Coordination (ACC).

trade and economic situation created a climate in which the United States felt it was particularly important to address the emerging issues of the 1980's as well as to advance unfinished business from the Tokyo Round. The Ministers authorized a work program. Work took place throughout 1983 and continued in most instances through 1984. Areas of concentration include implementation of the political declaration, which calls for resistance to protectionism through achievement of a safeguards understanding; agriculture; developing country concerns; services; and trade in high-technology goods.

In November 1984 the Contracting Parties agreed to take steps to address the problems of services and trade in counterfeit goods, both of which are important to the United States. In services it was agreed that the GATT Secretariat would support a formal examination of trade in services with a view toward further action by the Contracting Parties. Similarly, an expert group was established to address the problem of trade in counterfeit goods.

## **United Nations Conference on Trade and Development**

The United Nations Conference on Trade and Development (UNCTAD) is the organ of the General Assembly concerned with discussion of trade and economic development issues between developed and developing countries. The Conference is UNCTAD's governing body and is convened every 3-4 years. The sixth session of the Conference, UNCTAD VI, was held in Belgrade, Yugoslavia, from June 6-30, 1983. The first Conference was held in Geneva, UNCTAD Headquarters; the second, in Santiago; the third, in New Delhi; the fourth, in Nairobi; and the fifth, in Manila.

General Assembly resolution 1995 (XIX) established UNCTAD on December 30, 1964. The members of the Conference are those states which are members of the United Nations, its specialized agencies, or the International Atomic Energy Agency. At present, there are 127 countries which are members of the Trade and Development Board (TDB). The Trade and Development Board, UNCTAD's executive body, meets biannually and reports to the Conference. The TDB also reports annually to the General Assembly through the Economic and Social Council.

As would be expected, the agenda of UNCTAD VI covered the major areas of UNCTAD activity, as well as general economic issues of concern to the developing countries. These included trade, money and finance, commodities, economic cooperation among developing countries (ECDC), and institutional issues. To no one's surprise, there were major differences between the developed and developing countries over these agenda items as well as over the general state of the global economy.



The major event in UNCTAD during 1984 was the launching of an initiative by member countries of Group B<sup>7</sup> to reform UNCTAD's methods of work. Through such procedural reforms, the Group B countries, led by the United States, hope to move UNCTAD away from its present agenda, largely inspired by the traditional New International Economic Order (NIEO) rhetoric, and toward a more realistic one focusing on the importance of domestic economic policy, the effectiveness of the free market approach to economic growth and development, and the necessity of using multilateral institutions like UNCTAD to seek realistic solutions to real economic problems.

The idea of launching a reform effort in UNCTAD sprang from U.S. disappointment over the results of UNCTAD VI in 1983. This conference demonstrated clearly that the traditional NIEO agenda for economic growth, based on massive transfers of resources from developed to developing countries, "stabilization" of commodity prices, a primary and dominant role for governments in economic planning, a global approach to problem solving, and acceptance of the premise that external forces were the prime reason for lack of economic development, was out of date and no longer valid. Further, it demonstrated that UNCTAD, and by extension other UN specialized agencies, had drifted far from their original purpose and were becoming more and more "politicized" and mired down in unworkable bureaucracies whose methods were unproductive and, in many instances, wasteful.

The members of Group B created a special working group known as the "Groupe de Reflexion" to develop proposals for reforming UNCTAD's practices and procedures. An initial set of six proposals on procedural reform was presented to the other regional groups late in 1984.

An additional major development during the year was the departure on December 31, 1984, of long-time Secretary General Gamani Corea. At the time of his departure, no new Secretary General had been named.

During 1984 UNCTAD made little headway on any of the major substantive issues under consideration. The Common Fund for Commodities, the centerpiece of the agenda of the Group of 77, had yet to come into force because of the lack of the requisite number of ratifications. The United States has not ratified the Common Fund and will not begin the ratification process until certain commodity conditions are met. These conditions concern the intention of a certain commodity agreement to associate with the Fund (something that

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<sup>7</sup>Each member of UNCTAD is assigned to Group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.

has not yet happened) and obtaining a certain level of announced contributions to the Fund.

During 1984 special and regular sessions of the UNCTAD Transfer of Technology Committee were held to consider a proposal for an agreed strategy on transfer of technology to developing countries and numerous other UNCTAD work programs related to technology transfer. Work programs already underway generally were continued, but no significant agreements were reached on the proposed strategy or on other proposals for additional work.

Also during 1984 a regular session of the UNCTAD Inter-governmental Group of Experts on Restrictive Business Practices was held. The meeting endorsed publication of a report on collusive tendering, agreed on the need for preparation of a restrictive business practices handbook summarizing national laws and regulations, and began discussions of the 5-year review of the 1980 Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, scheduled to be held in November 1985.

## BOARD MEETINGS

The 28th session of the TDB was held March 26–April 6 at Geneva. The Group of 77 launched an effort to involve UNCTAD more heavily in the area of pharmaceuticals with particular emphasis on marketing. The effort clearly had in mind a long-term goal of developing a marketing code on pharmaceuticals. The United States and its Group B allies vigorously opposed this effort and succeeded in having the issue postponed until the 31st TDB.

The 29th TDB met September 10–27 and adopted four resolutions. The first dealt with the implementation of the medium-term and long-term recovery and rehabilitation program in the Sudano-Sahelian region. The resolution, *inter alia*, invited the General Assembly to request UNCTAD to prepare a study in close collaboration with the Sudano-Sahelian office, as well as other competent bodies concerned, on the impact of the drought on the foreign trade sector of the states members of the Permanent Inter-State Committee on Drought Control in the Sahel as well as on the role of the foreign trade sector for the medium-term and long-term development of those countries.

The second requested continuation for the UNCTAD cooperation program on the general system of preferences. The third, entitled "Technical cooperation among developing countries: cooperative exchange of skills among developing countries," requested, among other things, the UNCTAD Secretary General to convene, not later than the first quarter of 1985, a meeting of governmental experts of interested countries to examine modalities of cooperation; to recommend ways and means of systematically promoting the cooperative

exchange of skills among developing countries; and to submit its findings to the 30th TDB for transmitting to the High-Level Committee at its 4th session, to be held in 1985.

The Fourth Committee resolution reaffirmed the urgent need to provide increased assistance by UN organizations to national liberation movements recognized by regional intergovernmental organizations and urged the UNCTAD Administrator to provide adequate resources to the UNCTAD Secretary General to enable him to provide such assistance within the mandate of prior UNCTAD resolutions on the subject.

## **Commission on Transnational Corporations**

The Commission on Transnational Corporations (TNC) was established in 1975 by ECOSOC resolution 1913 (LVII) to assist the Council "in fulfilling its responsibilities in the field of transnational corporations." Its mandate includes (1) acting as the forum within the UN system for consideration of issues relating to transnational corporations; (2) promoting the exchange of views between and among governments and nongovernmental groups; (3) providing guidance to the UN Center on Transnational Corporations; and (4) developing a Code of Conduct relating to transnational corporations.

The Commission held its 10th session in New York April 17-27, 1984. Dr. Seymour Rubin, U.S. Representative to the Commission, led the U.S. Delegation. The most significant and contentious issue considered by the Commission was the question of the Center's lack of coverage of activities by state-owned enterprises based in the Soviet Union and Eastern Europe. The issue was first raised by the Federal Republic of Germany. The United States, Switzerland, France, Canada, Japan, and Norway all made strong statements on this issue.

Group B<sup>8</sup> agreed to reintroduce a resolution similar to the one defeated on procedural grounds at the ninth session. The resolution called on the Center to prepare a study on the activities of state-owned enterprises in other market and nonmarket economies and include matters on such enterprises in all subsequent studies on TNC's. The sponsors resisted pressure by the Group of 77 to withdraw the resolution unilaterally but indicated a willingness to withdraw it in return for a firm commitment to consider the substance at the next Commission meeting. The Group of 77 refused to accept the compromise. The Group B resolution was defeated in plenary on the same procedural grounds as in the 9th session, the Group of 77 joining with the Eastern European countries to prevent passage.

An extensive debate took place relative to recent developments

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<sup>8</sup>Group B contains the industrialized, Western European countries.



related to TNC's based on a paper prepared by the Center on Transnational Corporations. Center Director Sidney Dell brought up issues he thought had a major impact on prospects for world development: the extent to which the U.S. economic recovery filtered through to other countries and the decline in voluntary bank lending to developing countries.

Some developing countries' delegations called on the Center to examine the role of TNC's in international trade and payments, especially TNC contributions to least developed countries' debt problems. The United States, Swiss, and other delegates emphasized that TNC's had little influence on broad macrorends.

The Commission decided, without debate, to direct the Center to prepare a fourth survey on TNC's in world development to be ready for its 1988 session. In discussing the activities of the Center, developing country speakers stressed the need for TNC investments in their countries, more Center work on primary commodities and export processing zones, wider dissemination of research, strengthening the negotiating capacity of developing countries with TNC's, hazardous chemicals activities of TNC's, and the need for national information systems on TNC matters. The United States and other countries belonging to the Organization of Economic Cooperation and Development (OECD) stressed the need for greater coordination of the Center with other UN elements, the lack of coverage of Eastern European enterprises, the need for greater utilization of the work of industry, academic, and other specialists, and the need for accuracy and avoidance of duplication. The Center was directed to prepare a comprehensive report on its activities, rather than several separate reports as in the past.

A new development was sharp Group of 77 criticism of Bilateral Investment Treaties (BIT's), led by the Mexican Delegate acting as spokesman for the Group of 77. He claimed that BIT's were unbalanced, benefiting only the TNC's, and did not have any measurable positive effect on investment flows to the countries that signed them. The United States and other OECD countries responded in detail to these points. The issue should come up again in 1985.

As in previous years, there was discussion of the activities of transnationals in South Africa and Namibia, which led to the adoption of a political resolution which the United States voted against. The United States abstained on a resolution, deciding that an *Ad Hoc* Committee on the Preparations for the Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia should commence its work not later than August 1, 1984, and requested it to report on the hearings to the 11th session of the Commission. Both resolutions were adopted by ECOSOC. (Resolutions 1984/52 and 1984/53.) The United States abstained on

the first and cast a negative vote on the second in the Council, as it had done in the Commission.

## CODE OF CONDUCT

At its 38th session, the General Assembly, after considering the report of ECOSOC, decided to reconvene for 1 week the special session of the Commission on Transnational Corporations for the purpose of assessing the work on the draft code of conduct on TNC's and of facilitating the negotiation of outstanding issues. This meeting reconvened January 9-13, 1984.

Compromises on key outstanding issues were discussed. On the issue of definitions and scope of application, footnoting arose as a possible solution to ambiguity in the text. This answer did not appeal to all delegations. Other topics debated included the issue of respect for national sovereignty and the question of international law and obligations in the sections of the Code on treatment and activities of TNC's. The Commission also considered national treatment, compensation, settlement of disputes, and conflict of jurisdiction. Discussions were also held on the preamble and objective, the text presented by the working group having been recognized as a good basis for negotiations. The Commission, furthermore, considered the issue of noncollaboration by transnational corporations with racist minority regimes in southern Africa, for which a compromised text had been offered *ad referendum* in a working group.

The Director General for Development and International Economic Cooperation, on behalf of the Secretary General and himself, noted the improved atmosphere and goodwill that characterized this session; no major compromises appeared to have been reached.

The Commission, on the proposal of the Chairman, approved a decision to recommend that ECOSOC, at its organizational session for 1984, reconvene the special session. The Council approved the decision, and the Committee reconvened in New York from June 11 to 29, 1984. The first regular session of ECOSOC also approved a draft decision to permit the participation of expert advisers at that reconvened session.

The Commission, during its 10th session, conducted an extended discussion about the Code of Conduct. All delegations reaffirmed the importance of the Code of Conduct and urged that one be adopted without delay. The main purpose should be to regulate the activities of transnational corporations, to minimize their negative effects, and to facilitate development objectives of the developing countries. To accomplish these objectives, the Commission stressed that priority should be given to resolving the key outstanding issues of definition and scope of application, international law, nationalization and compensation, jurisdiction, and arbitration. Finding an agreeable

definition of a "transnational corporation" occupied the time of most delegations during these meetings, since without one they felt the Commission was operating in a vacuum. The Commission urged that at the special session held June 11-29, every effort should be made to conclude the negotiations on the Code of Conduct, with a view to its speedy adoption and implementation. In fact, the result proved to be a clear impasse in several areas. Despite progress on several paragraphs of the Code, for example, those dealing with contract negotiations, balance of payments, and environmental and consumer protection, no consensus on a complete text was reached.

The reconvened session focused its work mainly on the key outstanding issues in the draft code.

In their general statements, most delegations, while maintaining their original position, stated that they could accept the proposals on the major outstanding issues as contained in the proposals by the Chairman and the Rapporteur of the special session as a compromise, provided that all other delegations were prepared to accept them as such. However, those delegations also stated that they were prepared to consider the concerns and concrete proposals of other delegations concerning the texts as contained in the proposals by the Chairman and the Rapporteur of the special session.

At the end of its reconvened special session, the Commission held discussions on future work on the Code. The importance of completing and adopting the Code was discussed.

The General Assembly, on December 18, adopted without a vote a decision which, *inter alia*, decided to reconvene the special session of the Commission for 1 week in June 1985 to examine a study to be prepared by the UN Center on Transnationals on outstanding issues in the draft code, including, among other things, the questions of international law and obligations *vis-à-vis* national legislation, and to prepare a report to be submitted to the second regular session of ECOSOC in 1985 and the 40th General Assembly, which would include suggestions regarding the most appropriate steps to be taken to complete the code. (Decision 39/443.)

## United Nations Children's Fund

### BACKGROUND

The United Nations Children's Fund (UNICEF), founded in 1946 to assist in meeting the emergency needs of children in the aftermath of World War II, now provides long-term humanitarian assistance to needy children and mothers in developing countries throughout the world. Because of its apolitical character, UNICEF has been able to



fulfill its mandate all over the world, including areas in political turmoil, such as Ethiopia.

UNICEF is a voluntarily funded organization. In 1984 UNICEF received some \$185 million in voluntary contributions to its general resources from 122 governments and multigovernmental organizations. The United States contributed \$52.5 million, thus making the United States the largest contributor (accounting for 28.4% of these governmental contributions). Other major donors included the Governments of Sweden (\$20.1 million, 10.9%), Norway (\$15.5 million, 8.4%), Italy (\$13.9 million, 7.5%), Japan (\$12.4 million, 6.7%), Canada (\$12.3 million, 6.7%), and the United Kingdom (\$8 million, 4.3%).

In addition to the projects implemented from general resources, UNICEF also identifies many worthwhile projects each year which its general resources are insufficient to support. These projects are listed as "noted projects" in an annual catalogue. Noted projects are only implemented if donors contribute additional funds for a specific project. In addition, UNICEF occasionally makes appeals for emergency funds to assist children and mothers affected by natural or manmade disasters. In 1984 governments contributed \$79 million to UNICEF supplementary funds for noted projects and emergencies.

In addition to contributions from governments, UNICEF also receives a significant portion of its income from private donors each year. For example, in 1984 UNICEF received \$43 million in private donations and the net profits from the sale of greeting cards throughout the world. This amount accounted for 12.5% of its total income (i.e., both general resources and supplementary funds). UNICEF's success in raising funds from private sources is unique in the UN system and is largely due to the fundraising activities of 33 national committees. The U.S. Committee for UNICEF, a nonprofit organization which has 3 million volunteers throughout all 50 States, is the largest and among the most active of these national committees.

In 1984 UNICEF spent \$345 million on projects in 110 countries. The major types of assistance provided included \$83.7 million (34.2%) for child survival activities, \$68.1 million (27.9%) for water supply and sanitation, \$30.5 million (12.5%) for formal and nonformal education, \$15.8 million (6.5%) for emergency relief, and \$15.7 million (6.4%) for social welfare services for children.

The following are examples of the type of assistance provided by UNICEF during 1984: Working closely with all elements in Colombian society, UNICEF helped that country immunize some 800,000 children—an estimated three-quarters of its young children—against five major diseases in a massive campaign spread over three "National Vaccination Days"; UNICEF encouraged officials in the Owo district of Ondo State, Nigeria, and in the city of Juba, Sudan,

to intensify their efforts to raise the percentage of children immunized, with impressive results—over 80% coverage in the Nigerian district and from less than 10% of children under 2 years of age protected by immunization to more than 40% in the Sudanese city; and UNICEF reported increasing success in encouraging physicians to accept programs to control diarrheal disease through oral rehydration therapy (ORT). A periodical published by a group of diarrheal disease specialists, entitled *Diarrhoea Dialogue*, is currently distributed in English, French, Spanish, Arabic, and Portuguese to 46,000 people in more than 100 developing and 17 industrialized countries.

UNICEF received a special grant from the U.S. Government in 1984 of \$1 million for an emergency program in drought-torn Ethiopia. It has outlined additional emergency programs for Africa for 1985 totaling an estimated \$67 million and has requested approximately \$16 million from the United States. This request is now under active consideration.

UNICEF has its headquarters in New York, and its professional staff is headed by an Executive Director. The current Executive Director is James Grant, a U.S. citizen who has held this position since January 1, 1980. In the spring of 1984, the Secretary General announced the appointment of Mr. Grant for another 5-year term through December 1989.

The Executive Director receives policy guidance and direction from the UNICEF Executive Board composed of 41 member states elected for 3-year terms. The United States has always been a member of this Board. The Board meets annually, but special sessions or mail polls are sometimes used to decide issues which cannot wait until a regular session of the Board.

## THE CHILD HEALTH REVOLUTION

On December 19, 1984, UNICEF released the fifth report of the series entitled *The State of the World's Children—1985*. In this report, UNICEF Executive Director Grant stressed that, since 40,000 children still die each day in the developing world, the full achievement of the sought-after "child health revolution" remains a goal of the future. He stressed, however, that during the past year impressive progress has been made through recent developments in medical science and social organization in the campaign to reduce deaths among children in most developing countries by at least half before the end of the century and, in many places, within a decade. In effect, this would be a "health revolution" which could save the lives of 20,000 children per day.

The new medical technologies include low-cost, heat-stable vaccines which can be used in remote areas and oral rehydration

therapy (ORT), an inexpensive home treatment for combating dehydration resulting from diarrhea, the leading cause of death among children in developing countries. The World Health Organization (WHO) has played a leading role in developing and distributing these vaccines, and UNICEF is cooperating closely with WHO in this area. ORT was developed by the Institute for Diarrheal Disease Research in Bangladesh. WHO and AID have given the Institute substantial support for many years.

Other elements of the UNICEF approach include using infant growth charts to detect malnutrition, intensifying efforts to promote breastfeeding, and encouraging the spacing of children whose chances of survival would thereby be improved.

UNICEF's approach has attracted unprecedented media attention and support from the international community, including endorsements from many world leaders. President Reagan issued a statement expressing U.S. support for this effort on April 18, 1983, and in the same year Congress passed a joint resolution urging support for this approach. At its regular 1984 session in Rome, in April and May, the UNICEF Executive Board again strongly endorsed these initiatives to improve child health and emphasized the importance of strengthening international cooperation in this area.

#### **1984 SESSION OF THE UNICEF EXECUTIVE BOARD**

At the invitation of the Government of Italy, the UNICEF Executive Board<sup>9</sup> held its regular annual meeting in Rome from April 24–May 4, 1984. It again strongly endorsed the initiatives in UNICEF's child survival and development strategies as the "leading edge" of the UNICEF primary health care and basic services approach, as approved by the Board at its 1983 session.

The 1984 session of the Executive Board also focused on the critical drought-induced famine sweeping Africa. It concurred that the most dramatic challenge to child survival came from Africa, where various economic, agricultural, financial, and social constraints had had an adverse effect on attempts to improve the situation of children on that continent. In this connection, the Board endorsed a proposal for greater flexibility and adaptability in program approaches in the Africa region. The Board also reviewed UNICEF's existing emergency operations in Africa and welcomed the strengthening of UN inter-

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<sup>9</sup>The UNICEF Executive Board is composed of representatives of the following Governments: Algeria, Australia, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Burkina-Faso, Canada, Central African Republic, Chad, Chile, China, Colombia, Cuba, Denmark, Finland, France, Federal Republic of Germany, Hungary, India, Indonesia, Italy, Japan, Lesotho, Madagascar, Mexico, Nepal, Netherlands, Niger, Panama, Romania, Somalia, Swaziland, Switzerland, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.



agency cooperation in this area. It instructed the Executive Director to prepare a development program outlining both short-term and long-term measures for dealing with emergencies and to bear in mind the need for accelerating the strengthening of UNICEF capacity in Africa in preparing the budget estimates for 1986-87, which will be submitted to the Board in 1985.

From the U.S. viewpoint, the 1984 session of the UNICEF Executive Board was successful. A number of initiatives proposed by the United States were adopted by the Board including: (1) a proposal requiring UNICEF to begin making annual written reports to the Board on expenditures from all special and reserve funds; (2) language in the Program Committee's report which explains the limitation scope of some UNICEF activities; (3) language in the report of the Committee on Administration and Finance concerning the possible acquisition of new UNICEF field offices between 1984 and 1987; and (4) a proposal that UNICEF's new headquarters accommodations in the UN Development Corporation Building III, which will be constructed in the near future, be a no-frills, utilitarian facility in keeping with UNICEF's own character and image.

## AMERICANS IN UNICEF

At the end of 1984, Americans held 16.8% of the professional positions in UNICEF. More importantly, U.S. citizens occupied key policy positions, including the executive directorship of UNICEF and the directorships of two out of UNICEF's six regional divisions.

## Human Settlements Activities

The United States participated in the seventh session of the Commission on Human Settlements which, at the invitation of the Government of Gabon, met in Libreville from April 30-May 11, 1984. The Commission provides policy guidance to the Center for Human Settlements (Habitat) located in Nairobi, Kenya. Of the 58 member states, 45 participated in this meeting. Representatives from 29 additional states and 8 UN organizations attended in an observer status. Members from two intergovernmental organizations, four specialized agencies, four national liberation movements, and six non-governmental organizations also attended.

The U.S. Delegate, John J. Howley, Deputy Director, Office of Housing and Urban Programs in AID, was elected to the Vice Chairmanship of the Commission. He was also named to chair Committee I, which is responsible for training and information, the theme of the seventh session and the *raison d'être* of the Commission.

The leadership role AID plays in the shelter area was internationally conveyed in the committee. The United States conducted a

highly regarded computer demonstration of shelter needs assessments. These assessments provide a foundation for realistic shelter policies and a basis for more investment in housing and related infrastructure at the national level. As a result of this demonstration, the committee has invited AID to send an expert to join other international professionals in developing the theme paper for the eighth session, to be held in Jamaica.

The Commission adopted a number of resolutions; the most important among them were those pertaining to "A Systematic and Comprehensive Approach to Training for Human Settlements," "Biennial Cycle of Sessions for the Commission," "Joint Meetings of the Bureaus of the Commission and Governing Council of the UN Environment Program," and "Activities for the International Year of Shelter for the Homeless in the Occupied Palestinian Territories."

During discussion of the systematic and comprehensive approach to training, the U.S. Delegation emphasized the importance of comprehensive and coordinated plans among developing and developed countries in the discussion of the draft resolution, "A Systematic and Comprehensive Approach to Training for Human Settlements." This plan serves to promote training in the area of human settlements and to encourage the Commission to assume a leading role in this area. A stronger leadership would make an impact on both the budgetary priorities and the biennial work program of the Commission. In the final report, the Commission emphasized the critical role that training plays in the efficient planning and administration of human settlements. The U.S. Delegation shared this view, and AID manifested this philosophy in training policies and practices in their Office of Housing and Urban Programs. Both the developed and developing countries agreed on the principal findings and recommendations of the paper and they approved the final draft resolution with minimal discussion.

In the discussion involving the draft resolution concerning the biennial cycle of sessions for the Commission, the United States proved unsuccessful in mustering support for instituting a biennial cycle. However, the United States compromised in the matter and accepted a resolution requesting the Executive Director of Habitat to prepare an extensive report for presentation at the eighth session concerning the implications involved in the adoption of a biennial cycle.

The U.S. Delegation sought to gain passage of a resolution to abandon the joint bureau meetings after 1984 in the discussion of joint meetings of the Bureaus of the Commission and the Governing Council of the UN Environment Program. They conceded this position so that the Executive Director would include a section on the joint bureau meetings in his report on the biennial cycle.

The report of the Executive Director entitled "Financial Matters: Use of Extrabudgetary Resources of Habitat" was approved without comment.

Speeches by the Pan Africanist Congress of Azania and the African National Congress, while containing expected attacks against South Africa, were surprisingly mild and short in comparison to those of the previous session. However, the draft resolutions passed on these two subjects seemed only marginally less contentious than those adopted at the sixth session.

The draft resolution regarding the activities for the International Year of Shelter for the Homeless in the Occupied Palestinian Territories called for a study of a housing program for the Palestinian population. This draft resolution came before the Committee II during discussion of the International Year of Shelter for the Homeless. The United States objected to the introduction of political issues into the Commission discussion. Other Western and other European members did not support the U.S. position. The U.S. Delegation did not call for a vote but did make a statement that if a vote had been taken, the United States would not have been able to support this resolution.

The U.S. Delegation could not persuade the sponsors of the resolution, "Assistance to Victims of Apartheid and Colonialism in Africa," to delete the phrase, "and about the intensified aggression of the apartheid regime against the front-line states," in its preambulatory paragraph and the phrase, "as well as its acts of aggression," in the first operative paragraph. The United States had proposed an amendment to delete these phrases but lost the vote 11 to 21 (U.S.), with 3 abstentions, in the Committee. The draft resolution as a whole was approved by a vote of 29 to 1 (U.S.), with 8 abstentions.

## ECOSOC

The 1984 second regular session of ECOSOC adopted a two-part resolution on Human Settlements: one on the "Report of the Commission on Human Settlements," and the other on the 1987 "International Year of Shelter for the Homeless." (Resolution 1984/57 A and B.) The first part sent to the General Assembly a report by the Commission on Human Settlements. This part also recommended to the General Assembly, for consideration and action at its 39th session, the resolutions adopted by the Commission which required action by the Assembly.

With reference to the second part of the resolution, it was recommended that the 39th General Assembly adopt the draft resolution on the "International Year of the Homeless."

On December 17 the General Assembly adopted three resolutions relative to Human Settlements under the agenda item "Development



and International Economic Cooperation." The resolutions were considered and approved by the Second Committee at four meetings between November 2-30.

The first draft resolution was introduced by Senegal on behalf of four other members and was entitled "Living Conditions of the Palestinian people in the occupied Palestinian territories." The draft, *inter alia*, took note of the Secretary General's report on the living conditions; rejected Israeli plans intended to change the demographic composition of the occupied territories; and requested the Secretary General to organize in 1985 a seminar on remedies for the deterioration of the economic and social conditions of the Palestinian people in the occupied territories. This first resolution proved to be a contentious issue. Efforts on the part of the United States and others to eradicate biases in the draft were to no avail.

Speaking in the Second Committee before the vote, the U.S. Representative, Dennis Goodman, said it was difficult to see how the annual voting on political draft resolutions on living conditions of the Palestinian people accomplished anything useful. The Second Committee was supposed to deal with economic, and not political, questions; if the funds expended to such political actions were otherwise employed, they might actually benefit the needy of the world, including Palestinians. During the 38th session, his delegation had pointed out that the main product of the draft resolution then before the Committee on the same subject would incur an expenditure of \$81,000. The present draft resolution was inaccurate and called for expenditures of \$82,000-\$103,000. He added that his delegation shared the international community's concern about the quality of Palestinian life but did not believe that the use of condemnatory language constituted a constructive approach to that problem. Consequently, his delegation would vote against the draft resolution.

The resolution was approved in Committee on November 13 by a recorded vote of 129 to 2 (U.S., Israel), with 2 abstentions, and adopted in the plenary Assembly on December 17 by a vote of 143 to 2 (U.S., Israel), with 2 abstentions. (Resolution 39/169.)

On November 6, the Netherlands introduced draft resolutions A and B entitled "Report of the Commission on Human Settlements" and "Coordination of human settlements programs within the UN system." The drafts were subsequently cosponsored by 11 other countries. Both draft resolutions were approved in Committee on November 30 without a vote and adopted by the General Assembly in the same manner on December 17. (Resolution 39/170 A and B.)

Finally, on November 6, the Netherlands, joined by 12 cosponsors, introduced a draft entitled "International Year of Shelter for the Homeless." The draft urged all governments to intensify their activities related to the International Year; appealed to those in a position

to do so to provide financial and other support; and requested the Secretary General to submit to the 40th General Assembly a report on progress achieved in the implementation of the approved program to be undertaken before and during the International Year of Shelter for the Homeless. The final draft, submitted by the Vice Chairman after informal negotiations, was approved in Committee on November 30 and adopted in the plenary Assembly on December 17, in both instances without a vote. (Resolution 39/171.)

## Population Activities

The UN Fund for Population Activities (UNFPA) was established in 1967 by the UN Secretary General as a special trust fund. The Fund operates under the guidance of ECOSOC and, since 1972, with the general oversight of the UNDP Governing Council. UNFPA is second only to the U.S. Government as a source of assistance for population activities in developing countries. It has an annual budget of \$140 million and finances projects in over 120 countries. The principal concerns for the Fund are to devote an increasing ratio of its resources to family planning; to confine its commitment levels to reasonable resource expectations; and to retain sufficient flexibility so that the magnitude and kinds of assistance will be geared to the circumstances of the recipient country.

The United States participated in the 22nd session of the Population Commission, January 18–20, 1984. UNFPA was recognized and praised for the contribution it has made to a number of the activities of the Population Division. Immediately following the Population Commission meeting, the delegates sat as the Preparatory Committee for the International Conference on Population, 1984.

The Preparatory Committee prepared 85 resolutions for consideration at the Conference. The proposals would have the Conference affirm that national development policies, plans, and programs, as well as international development strategies, should be formulated on the basis of an integrated approach, taking into account interrelationships between population, resources, environment, and development. The United States joined other members of the Economic and Social Council in approving the documentation at its first regular session, May 1–25, 1984.

The International Conference on Population held in Mexico City August 6–14, 1984, resulted in a consensus on recommendations broadly recognizing worldwide concern about demographic trends and agreement on the essential actions required to slow population growth in countries where the growth strains economic development. Recommendation 83 urged that UNFPA should be strengthened

further and invited the Secretary General to examine and submit a report to the General Assembly not later than 1986.

In 1983 the UNDP Governing Council had directed UNFPA to increase the share of resources going to family planning activities; to restrict intercountry activities to 25% of total program resources, providing appropriate assistance to the regional commissions; to continue the system of priority countries, devoting two-thirds of country program resources to priority countries; and to increase the level of its financial contribution and the effectiveness of its support for contraceptive research, contributing at least \$2 million to the World Health Organization's Program of Research, Development, and Research Training in Human Reproduction.

At the 31st Governing Council in June 1984, UNFPA's Executive Director reported that UNFPA had exceeded the goal approved by the Governing Council, providing two-thirds of its resources to priority countries. In addition, allocations to the family planning sector increased to 46.1% in 1983. The Governing Council approved seven large country programs; endorsed a continuation of present UNFPA evaluation activities; requested that the proportion of assistance allocated to intercountry activities be reduced; and decided to continue for 1985 UNFPA's \$2 million contribution to the WHO Special Program of Research, Development, and Research Training in Human Reproduction.

UNFPA depends entirely on voluntary contributions from member governments for its income. In 1984 the United States contributed \$38 million, some 27% of UNFPA's income. Our contribution, 12.6% more than that in 1983, was evidence of a desire in the United States to contribute to a better quality of life in those countries receiving UNFPA assistance. On December 18 the General Assembly adopted without a vote a draft resolution recommended to it by the Second Committee. The resolution, entitled "International Conference on Population, 1984," *inter alia*, requested the Economic and Social Council to examine the recommendations of the International Conference for further implementation of the World Population Plan of Action, in order to provide policy guidelines within the UN system. (Resolution 39/228.)

## **WORLD FOOD COUNCIL**

The World Food Council (WFC) was created by the UN General Assembly pursuant to a resolution of the 1974 World Food Conference. The Council has no operational functions; it offers advice and recommendations on world food and agriculture problems and policy issues. WFC performs this function primarily through its annual ministerial session. The Council has 36 members,<sup>10</sup> selected to represent the various regions of the world. The United States and the



U.S.S.R. have been members of WFC continuously since its establishment.

WFC held its 10th ministerial session June 11-15, 1984, at Addis Ababa, Ethiopia. The Council's agenda included three subjects for discussion: "Review of progress toward the eradication of hunger, 1974-84"; "Food strategies in Africa and review of agency coordination"; and "Renewal of the commitment for the eradication of hunger." The member countries advanced differing views on the progress made in eradicating hunger and malnutrition, the causes of the problem, and possible solutions for it. However, they expressed general agreement on efforts to improve the food situation in Africa.

The report adopted by the Council did not adequately reflect the discussion in the ministerial sessions. Portions of it call for the conclusion of international commodity agreements and pessimistically describe the impact of the world economic situation. The United States entered a formal statement of reservation to those sections. The reservation stated, "... the United States believes that proposals for new international commodity and grains agreements, as well as certain other proposed new market distorting practices, can have serious negative side-effects on world food security. Such measures could cause greater problems than they would solve, and we doubt that they are necessary." The statement noted, however, that "the United States ... will continue to examine proposals for new agreements on a case-by-case basis." With regard to the report's depiction of the effects of world economic recovery, the statement of reservation states, "[it] fails to recognize the extremely beneficial potential of the world economic recovery, already underway in a number of developed countries. As the pace of the world economy recovers, we would expect that developed countries' purchases of products produced in developing countries will increase substantially, thus providing significant improvement in the export earnings and overall economies of the developing countries." However, the United States fully supported the Council's call to the international community "to renew its commitment to eradicate hunger and malnutrition as soon as possible and by no later than the end of the century ..."

On December 17 the General Assembly adopted without a vote a resolution entitled "Food and agricultural problems." The resolution dealt with guidelines to be followed in solving these problems and,

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<sup>10</sup>WFC member countries in 1984: Argentina, Australia, Bangladesh, Botswana, Burundi, Canada, Central African Republic, Chile, China, Colombia, Ecuador, Ethiopia, Finland, France, Gambia, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Hungary, India, Iraq, Italy, Japan, Mexico, Morocco, Nicaragua, Nigeria, Pakistan, Tanzania, Thailand, U.S.S.R., United Arab Emirates, United States, Venezuela, and Yugoslavia.

*inter alia*, included a paragraph which welcomed the conclusions and recommendations of the World Food Council at its 10th ministerial session. (Resolution 39/166.)

## **SOCIAL ISSUES**

### **Crime Prevention and Control**

The United Nations Committee on Crime Prevention and Control held its 8th session in Vienna March 21–30, 1984. The Committee is composed of 27 expert members, including 1 from the United States, Ronald L. Gainer. The Committee considered an agenda containing seven items relating to various aspects of the overall subject of crime prevention and control. One major concern of the Committee was the continuation of preparations for the 7th United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in Milan August 16–September 6, 1985. The Committee approved eight draft resolutions and one draft decision which it recommended for adoption by the Economic and Social Council. Five additional decisions by the Committee, involving various working documents to be referred to the 7th Congress, called for action by the Council. Following the new procedures authorized by ECOSOC the previous year, the Committee's report was taken up directly by ECOSOC at its first regular session in May 1984 without prior submission to the Commission for Social Development. Action on a major proposal of the Committee proposing provisional Rules of Procedure for UN congresses was deferred until the first regular session of ECOSOC, 1985. Another draft resolution containing detailed proposals for the continuation of preparations for the 7th Congress was approved by ECOSOC by a vote of 41 to 1 (U.S.), with 5 abstentions. The U.S. negative vote on this draft resolution was based on our concern at the excessive financial implications involved, even though the U.S. Government continues to follow a general policy of support for the quinquennial congresses.

Another proposed resolution which gave rise to varying points of view in ECOSOC dealt with the safeguards guaranteeing protection of the rights of those facing the death penalty. During discussion of this resolution in the Second (Social) Committee, the Netherlands proposed amendments which, in the view of the United States, would have had the effect of introducing a bias in the resolution toward the abolition of capital punishment in place of the neutral wording contained in the resolution proposed by the Committee. The United States voted against this Netherlands amendment, which was adopted by a vote of 29 to 1 (U.S.), with 17 abstentions. When the resolution was considered in plenary, the United States proposed an amendment

for the purpose of restoring the original neutral language. The U.S. amendment was rejected by a vote of 6 (U.S.) to 23, with 16 abstentions. The resolution was then adopted without a vote. (Resolution 1984/50.)

Other resolutions recommended by the Committee and approved by ECOSOC without a vote concerned (1) alternatives to imprisonment—resolution 1984/46; (2) procedures approved by ECOSOC without a vote concerned (1) alternatives to imprisonment—resolution 1984/46; (2) procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners—resolution 1984/47; (3) crime prevention and criminal justice in the context of development—resolution 1984/48; fair treatment of women by the criminal justice system—resolution 1984/49; and (4) technical cooperation in crime prevention and criminal justice—resolution 1984/51.

ECOSOC also approved five decisions proposed by the Committee, by which ECOSOC transmitted certain documentation to the 7th Congress. These decisions included draft resolutions for the 7th Congress containing guiding principles for crime prevention and criminal justice in the context of development and a new international economic order, a model agreement on the transfer of foreign prisoners, draft guidelines on the independence of the judiciary, draft standard minimum rules for the administration of juvenile justice, and information from member states concerning implementation of the Code of Conduct for Law Enforcement Officials. ECOSOC approved these recommendations without a vote on May 25. (Decision 1984/153.)

Finally, in decision 1984/154, adopted without a vote, ECOSOC took note with appreciation of the invitation of the Government of Italy to hold the 7th Congress in Milan and decided to accept that invitation. Also at the same ECOSOC session, the U.S. expert member of the Committee on Crime Prevention and Control, Mr. Gainer, was reelected for a 4-year term beginning January 1, 1985.

On December 14 the General Assembly adopted without a vote a draft resolution which had been recommended by the Third Committee. The resolution had been introduced by Italy on behalf of 31 countries, including the United States. The resolution expressed appreciation to the Government of Italy for its offer to host the Congress and proposed items for the special attention of the Congress, including the strengthening of technical cooperation in crime prevention and criminal justice and the question of illicit drug trafficking. Finally, the Secretary General was requested to submit to the 40th General Assembly his views and recommendations on the implementation of the conclusions of the 7th Congress. (Resolution 39/112.)



## Drug Abuse Control

The United States continued to assert its leadership in the United Nations system in 1984 in the field of international drug control. In the three UN representative bodies most directly involved in drug control activities—the Commission on Narcotic Drugs, the Economic and Social Council, and the General Assembly—the United States played a leading role in policy formulation, while it encouraged other countries to increase their own drug control efforts. U.S. representatives to these meetings, as well as in regular contact with the drug control agencies in Vienna and New York throughout the year, effectively promoted U.S. policies. Although the regular budget of the United Nations was not under review in this year, U.S. delegations promoted more efficient and effective use of the monies already appropriated and encouraged other member states to contribute more voluntary funds to the UN Fund for Drug Abuse Control (UNFDAC). Efforts were continued to maintain the favorable number of U.S. citizens employed by the UN drug control agencies and to keep the U.S. private sector fully informed about UN actions.

### COMMISSION ON NARCOTIC DRUGS

The 8th special session of the Commission on Narcotic Drugs convened in Vienna on February 6–10, 1984. (Special sessions are generally shorter and usually convened in alternate years between biennial regular sessions.)

Delegates attending the session represented 40 members of the Commission,<sup>11</sup> 25 observer countries, 1 specialized agency, 4 inter-governmental, and 26 nongovernmental organizations. The Director General of the United Nations Office at Vienna (UNOV), when addressing the Commission, emphasized that concerted action on the part of all elements of the international drug control system was essential if the international campaign to prevent drug abuse was to succeed. This collaborative theme continued throughout the session and was stressed by the Director of the Division on Narcotic Drugs.

Statements providing an overview of the drug abuse and illicit traffic situation were made in addition to a detailed outlining of the activities of the Division in regard to its treaties and its specific requests. Attention was drawn to the issuance of the *Multilingual Dictionary on Narcotic Drugs and Psychotropic Substances* and the

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<sup>11</sup>CND member countries whose terms expire in December 1985: Argentina, Australia, Austria, Bahamas, Belgium, Bulgaria, German Democratic Republic, Hungary, India, Japan, Korea, Malaysia, Mexico, Nigeria, Panama, Senegal, Turkey, United Kingdom, U.S.S.R., Zaire. Terms expiring in December 1987: Algeria, Brazil, Canada, Colombia, Finland, France, Federal Republic of Germany, Greece, Iran, Italy, Ivory Coast, Madagascar, Morocco, Netherlands, Pakistan, Peru, Sri Lanka, Thailand, United States, Yugoslavia.

completion of the testing kit to aid in identifying illicit substances. Dominick L. DiCarlo, Assistant Secretary of State for International Narcotic Matters, was the U.S. Representative. The U.S. Delegation, which included representatives of the Departments of State, Justice, and Health and Human Services, distributed a special message from Congressman Benjamin A. Gilman of New York. At the meeting of the General Assembly in November 1984, the chief U.S. spokesman was Jon R. Thomas, who had replaced Mr. DiCarlo as Assistant Secretary of State.

## **Drug Trafficking**

The Commission considered recommendations from its subcommittees and reviewed a draft resolution adopted by the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East. This draft resolution presented by India fully reflected the extent to which many drug law enforcement agencies in most regions faced similar problems. The text outlined the activities that the United Nations could most usefully undertake in cooperation with member states and intergovernmental organizations to solve those shared problems.

The U.S. Representative, in supporting this draft resolution, pointed out the growing body of evidence linking illicit drug traffic and illegal traffic in arms, subversion, international terrorism, and other subversive groups that increasingly rely on profits from illegal drug trade to support these undesirable activities.

Representatives of 15 countries supported the draft resolution, several of whom accorded special attention to the tracing and freezing of the profits and proceeds of illegal drug trade. Several representatives also referred to the need to develop rapid and secure means of communication; to establish regional coordinating mechanisms; to support bilateral and multilateral cooperation; and to pass legislation and other measures to ensure that drug traffickers did not profit from or retain proceeds from these crimes. Three countries voiced specific reservations but joined the others to form a consensus supporting the draft as a whole. At the 946th meeting on February 9, 1984, the Commission on Narcotic Drugs adopted by consensus, as amended, the draft resolution entitled "International campaign against the traffic in drugs."

## **International Strategy and Policies for Drug Control**

In carrying out its duties as a "task force" reviewing the International Strategy and Policies for Drug Control and the 5-year program of action, as requested by the General Assembly in resolution 36/168 of 1981, the Commission endorsed in principle a list of projects

planned for implementation in 1984 and 1985. This proposed list of activities included projects financed by regular UN budget resources and activities suggested for extrabudgetary financing, voluntarily provided. Within the regular budget of the UN for the biennium 1984-85, funds had been allocated for the project, "Reduction of Excessive Stocks of Licit Opiate Raw Materials." Funds were also provided to finance a preparatory study on measures that could be more widely adopted to counter maritime drug smuggling and drug smuggling in freight. Financing was allocated for consultancy services to member states involved with international drug control treaties.

The remaining projects depended on voluntarily provided funds. There was, however, some criticism of the quality of projects presented by the Division on Narcotic Drugs and in the manner of their presentation. The U.S. Delegation suggested other specific projects that might be undertaken and also stressed the importance of other agencies in the UN system doing their share in the fight against drug abuse, production, and trafficking.

### **International Drug Control Strategy**

The U.S. Representative stated that while the United States is committed to international drug control, through bilateral and multilateral efforts, it also was committed to controlling budgetary growth in the UN system. He wished that the Commission would continue to prioritize activities annually within the program of action while expressing general support for the list of projects.

The U.S. Government, in considering the "Reduction of Excessive Stocks of Licit Opiate Raw Materials," stressed that all activities should be planned and implemented with full participation of the INCB and in consonance with the stated goals of the Commission.

The U.S. Representative suggested two approaches that the Division should consider regarding activities. He noted that the project of "Drug Law Enforcement" should address the control of immediate precursors to controlled substances and the development of drug law enforcement techniques such as controlled delivery and drug law enforcement training. He suggested that the Division could serve as a focal point for the distribution of "training packages" found useful by other governments.

With respect to the project, "Scientific Research," the United States urged that the Laboratory Section of the Division on Narcotics Drugs conduct activities befitting the generous resources available to it. It was suggested that the Laboratory follow the recommendations of the report on methods for the eradication of illicit narcotic crops. Recommended also was that the United Nations develop a safe and effective chemical control agent program for the destruction of illicit



coca bush cultivation. The United States supported the program for an examination of "Present Literature on Cocaine" and also was ready to assist the Division in carrying out its activities. The United States suggested that the Division consult with WHO regarding the project to determine the measures which may develop or improve the ability of the government to conduct epidemiological studies on the prevalence and incidence of drug abuse. The U.S. Government also welcomed the "Information" project which further developed information and data processing capabilities. Great concern was expressed by the United States over the conservation of financial resources and suggested that better means of developing and proposing activities for the program of action should be devised.

At its 945th meeting held on February 9, 1984, the Commission adopted, by consensus, the draft resolution entitled "Program of Action for the biennium 1984-85: Third year of the United Nations Basic 5-Year Program of the International Drug Control Strategy."

### Drug Scheduling

The chief focus of the Commission meeting in February was the placing of a number of narcotic and psychotropic substances under international controls, in accordance with the provisions of the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances (CPS) of 1971. The international controls had been recommended by the World Health Organization because of evidence of their abuse or liability to abuse, whether used alone or in conjunction with other substances. Alfentanil was placed under Schedule I of the Single Convention. Pentazocine was placed under Schedule III of the CPS, and 33 benzodiazapine drugs, including diazepam (trade name Valium), were placed under Schedule IV of the CPS.

The vote on alfentanil was unanimous. Consideration of pentazocine required five separate votes. Although WHO had recommended that the drug be placed under Schedule III of the CPS, France moved under Rule 52 to have it placed under Schedule II, which would have provided stronger controls. The French proposal failed to receive the required 27 affirmative votes (two-thirds of the CND membership) and lost by a vote of 22 to 5 (U.S.), with 11 abstentions. A subsequent vote to place the drug under Schedule III also lost by a vote of 24 (U.S.) to 2, with 10 abstentions. The United States believed that failure to control pentazocine at this session could result in no international controls for several years. Sensing interest in immediate action from other members, the United States then proposed action under Schedule IV to impose minimal control. This proposal achieved the minimum requirement by a vote of 27 (U.S.) to 2, with 8 abstentions. In overnight discussions, it was clear that most delegations in fact

avored stronger controls for pentazocine and felt that the provisions of Schedule IV were insufficient. The next day Pakistan called for reconsideration of the issue, and the Commission then approved Schedule III controls by a vote of 34 (U.S.) to 1, with 4 abstentions. The Commission also adopted a resolution supporting the views of a number of delegates, asking WHO at a later time to study further the possible scheduling of agonist/antagonist drugs such as pentazocine under the Single Convention, which could result in controls stronger than those of the CPS. Because an appropriate scheduling decision had just been made, the United States did not support this draft resolution. The vote was 26 to 0, with 6 (U.S.) abstentions.

The scheduling of the benzodiazapine drugs, which had been contentious at the 1983 session, did not encounter the same difficulties in 1984. WHO had reviewed 39 substances and recommended Schedule IV controls on 33 of them. The United States, believing that the evidence did not support the scheduling of the entire group, called for individual consideration of the 33 drugs and voted in favor of control on 18 of those substances for which it believed there was sufficient evidence of abuse or likelihood of abuse. It abstained on the other 15 substances. All 33 of the drugs received at least the 27 affirmative votes required for scheduling. Diazepam, the best-known of the drugs under review, was scheduled by a vote of 34 (U.S.) to 1, with 5 abstentions.

The Commission also considered guidelines for the review of requests by governments desiring to exempt themselves from drug scheduling decisions of the CND. Under the conventions, governments are permitted to exempt themselves from the international controls imposed by the CND on specific drugs provided that the exemptions are approved by the CND. WHO had developed a set of guidelines for review of these exemption requests, and the Commission by consensus approved the proposal with some modification.

The Commission also developed a draft resolution calling for WHO to review "immediately" selected amphetamine-like drugs for which data had been collected and which presented serious social and health concerns. The draft resolution proposal was approved by the Commission by a vote of 33 (U.S.) to 0, with 1 abstention. The draft resolution was unanimously adopted by ECOSOC. It was understood that WHO would consider these substances in accordance with new steps for drug scheduling approved by the WHO Executive Board. A detailed procedure would have dossiers developed on each of the drugs under review; have the dossiers reviewed by a working group; and finally have decisions on recommendations for drug scheduling taken by a formally established expert committee. Under the approved schedule of work, the WHO recommendations on the amphetamine-like drugs would be presented for CND decision in February 1986.

The Commission adopted 3 resolutions and 37 decisions by consensus at its 8th session, which then would be presented to ECOSOC for consideration. Draft resolutions included "Guidelines for the exemption of preparations from certain control measures under the provisions of Article 3 of the 1971 Convention on Psychotropic Substances"; "Procedures to be followed in collecting data on opioid agonist and antagonist in view of their possible scheduling under the Single Convention on Narcotic Drugs 1961"; and "The international campaign against the traffic in drugs." The decisions consisted of "the Program of Action for 1984-85"; "Alternative Means of Fulfilling the Commission's Treaty-Based Functions"; and the inclusion of various drugs in schedules annexed to the 1971 Convention on Psychotropic Substances.

### **International Narcotics Control Board**

Commission members praised the 1984 report of the International Narcotics Control Board (INCB), particularly the concern expressed by the Board about the trend toward diminished controls on cannabis possession and use in a number of countries. The Federal Republic of Germany introduced a draft resolution, which was cosponsored by the United States, entitled "The cannabis problem." This draft called for intensified national and international efforts against the abuse of cannabis, emphasizing that there be no reduction of the seriousness with which any drug abuse, including possession, should be regarded. The Commission adopted this draft resolution by consensus, as orally amended.

The President of the INCB, Dr. Victorio Olguin of Argentina, told the Commission of the Board's concern about the continued lack of controls on the production of illicit coca and the increase in abuse and traffic in cocaine. To combat these problems, the Board recommended large-scale eradication efforts and integrated rural development, backed up by strong law enforcement. The United States supported the Board's proposal that narcotics-producing nations consider the use of ecologically safe herbicides to eliminate illicit cultivation, a step successfully implemented in Mexico.

A draft resolution of the Commission urged governments to support the "traditional" opiate supplier nations rather than newcomers to opiate production and trade. It further asked the INCB to assist in determining effective ways to ensure a balance in the supply and demand for licit opiate raw materials and to reduce opiate stocks. The Commission adopted by consensus, as orally amended, a draft resolution entitled "Demand and supply of opiates for medical and scientific needs."



## UNITED NATIONS FUND FOR DRUG ABUSE CONTROL

The Commission in February 1984 expressed its firm support for the work and leadership of the United Nations Fund for Drug Abuse (UNFDAC) during 1983, in particular the Fund's success in fund-raising. In addition to an unprecedented special pledge by Italy of about \$40 million over 5 years, 10 countries increased their contributions to UNFDAC. The increases ranged from 15% to 36.1% in 1983. Excluding special and private contributions, UNFDAC received \$12,522,900 in contributions and pledges for 1984, as compared with \$7,134,100 in 1983. The United States had pledged \$2 million in 1983, or 28.03% of the contributions by governments. In 1984, the United States pledged \$2.5 million, or 19.96%.

Many delegates to the Commission meeting welcomed the "master plan" concept developed by UNFDAC Executive Director Giuseppe DiGennaro of Italy. This concept served to coordinate antinarcotics activities in a variety of sectors; master plans had been developed for Bolivia, Pakistan, and Thailand. Many delegates also supported the UNFDAC approach of linking development assistance in narcotics-producing areas to effective law enforcement actions by host governments to ensure that illicit cultivation is stopped; the United States had strongly urged UNFDAC to incorporate this approach in its project development and said that the U.S. Government was prepared to provide technical assistance to UNFDAC for project planning and development in that area. UNFDAC staff indicated that the law enforcement obligations of countries receiving UNFDAC assistance would be made explicit in project documents and that assistance to governments not fulfilling these obligations would be terminated.

UNFDAC announced a program budget for 1984 of about \$10 million, of which 34% was devoted to strengthening of control and enforcement measures; 15% was given to demand reduction activities; 48% was allocated for projects aimed at the reduction of illicit supply; and 3% was designated for scientific research. Special emphasis was to be given to multisectoral activities in Burma, Pakistan, and Thailand, embracing crop substitution, treatment of addiction, prevention, research, and law enforcement projects.

At the General Assembly on November 15, Assistant Secretary Thomas praised the effective leadership of Executive Director DiGennaro and commended UNFDAC for its fund-raising successes and project development activities.

## ECOSOC

During its first regular session in May of 1984, ECOSOC considered and adopted in two draft decisions the reports of the

Division on Narcotic Drugs and the International Narcotics Control Board. The Council adopted the three draft resolutions on the "Demand and supply of opiates for medical and scientific needs"; "The cannabis problem"; and "Review for scheduling of the amphetamine drugs," as presented by the Commission on Narcotic Drugs.

The projects included in the 1984 program of the Division would be implemented within resources available under the regular budget for the biennium 1984-85 or from extrabudgetary voluntarily provided resources. The INCB supported these projects; continued its ongoing training programs; and cooperated with other international bodies concerned with drug control. At the ECOSOC session in the spring, new Board members nominated by six countries were elected to 5-year terms beginning March 2, 1985. These members were from Colombia, Belgium, Pakistan, Tunisia, China, and Nigeria. They would join Board members from the Federal Republic of Germany, Sweden, France, Australia, the United States, Turkey, and Mexico. Late in 1984 the Board member from Turkey died and was to be replaced in the spring 1985 ECOSOC session.

## **OTHER MATTERS**

During 1984 there was extended discussion of the possible reorganization of the three UN drug agencies—UNFDAC, the INCB, and the Division on Narcotic Drugs. U.S. officials, in private talks with UN agencies, opposed the rumored proposal to merge UNFDAC and the Division. In reference to these rumors, F. Gray Handley, a member of the U.S. Delegation speaking at the spring session of ECOSOC, said that "the United States would like to reiterate its position that the Division, UNFDAC, and the INCB, which each have separate and necessary mandates, should continue to remain separate entities. We believe that any action to merge or in any way reduce the status and resources of any of these agencies would diminish their necessary prestige and importance in the fight against drug abuse." The only action taken regarding the organization and administration of the three agencies was the appointment of UN Under Secretary General William Buffum (U.S.) as effective supervisor and coordinator of the work of the three agencies.

At the end of the year, a new review of the work of the drug agencies was issued by the UN Joint Inspection Unit; it concurred with the U.S. view that the agencies each had a separate mandate and should not be merged.

## **General Assembly**

The major event in the UN system regarding narcotics control came toward the end of 1984 during the General Assembly.

Throughout the year, extensive concern had been developing, particularly among Latin American nations, about the increase in drug trafficking. Secretary General Perez de Cuellar said that many of the foreign ministers calling on him at the outset of the General Assembly gave particular emphasis to the need for greater international action to deal with this problem. In addition, there had been in circulation a "Quito Declaration Against Drug Trafficking," a "New York Declaration Against Drug Trafficking and the Illicit Use of Drugs," and a Venezuela-proposed "Convention Against Trafficking of Narcotic and Psychotropic Substances and Related Activities." In view of this concern, the Secretary General took the unprecedented step of addressing the General Assembly's Third Committee on this topic. As the United Nations entered its 40th anniversary year, the Secretary General said, "let us make this current session a watershed for a more concerted and more determined struggle to eliminate one of the most pernicious and pervasive evils of our time."

In elaborating his concern, the Secretary General said that the "scourge of drug abuse goes hand in hand with the growing trafficking of illicit drugs, the magnitude and implications of which are mind-boggling. These illegal activities are financed and operated by well-organized international criminals. They have become so pervasive and generate such vast profits that countries' economies are disrupted, legal institutions undermined, often with tragic loss of life, and the very authority of some states is seriously threatened. Central to the success of any effort to combat this crime is a recognition that this is a classic example of the type of problem which no nation can solve alone and which can only be dealt with through international cooperation. In my view, these are precisely the type of problems, representing a dangerous threat to modern societies, which the UN system is uniquely equipped to deal with."

On September 21, 1984, the General Assembly decided to include in the agenda of the 39th session the "International campaign against traffic in drugs." The Third Committee considered the item together with the relevant chapter of the report of the Economic and Social Council in five meetings between November 15 and 28.

Following extended debate, the Assembly adopted a Venezuelan draft resolution, "International campaign against traffic in narcotic drugs," calling for development of a new international convention on drug trafficking. The text had been modified after substantial negotiation, which included U.S. participation. The resolution requested the CND "to initiate the preparation at its next session in February 1985, as a matter of priority, of a draft convention against the illicit traffic in narcotic drugs." It attached the Venezuelan draft convention as a "working paper." Several delegations contended that the two existing drug control conventions were adequate or that it was



preferable to improve those treaties rather than draft a new convention. The United States cosponsored the final resolution. (Resolution 39/141.) Assistant Secretary Thomas publicly complimented Venezuela President Luisinchi and his Government for their "thoughtful initiative" and said the United States looked forward to the 1985 CND meeting where members could work jointly to "build on the framework of the existing conventions to strengthen the international resolve against drug trafficking." Mr. Thomas also said he welcomed the personal leadership taken by many Latin American leaders on this issue and supported the strengthened commitment to oppose narcotic trafficking and production.

The United States also joined in cosponsoring a Venezuelan-drafted "UN Declaration on the Control of Drug Trafficking and Drug Abuse," (Resolution 39/142) and supported a more comprehensive Bolivian text that urged greater action on multiple fronts of the drug abuse problem. (Resolution 39/143.) All three resolutions were adopted without a vote on December 14, 1984, in the General Assembly.

## **UN Disaster Relief Coordinator and Emergency Assistance**

A series of major disasters in the late 1960's convinced members of the United Nations that a distinct office was needed to support worldwide emergency relief assistance which had been provided for many years by individual governments, UN agencies, the Red Cross, and other voluntary societies. In March 1972 a central office was established within the United Nations for the purpose of mobilizing relief more rapidly, coordinating it more systematically, and reducing risks of waste, duplication, and failure in the supply of essential items. The new United Nations Disaster Relief Office (UNDRO) was also given the responsibility for improving contingency planning and disaster preparedness worldwide and for harnessing modern scientific and technological knowledge for the prevention and mitigation of disasters. M'Hamed Essafi of Tunisia, Coordinator of the Organization, holds the rank of Under Secretary General.

To carry out its functions, UNDRO's program activities are divided into four major areas: disaster relief coordination; disaster preparedness; disaster prevention; and information.

### **DISASTER RELIEF COORDINATION**

Disaster relief coordination constitutes the core of activities of UNDRO in line with its General Assembly mandate and is given the highest priority in the allocation of the office resources. In 1983-84 UNDRO recorded a total of 442 alerts, of which 43 cases developed into disaster situations involving the Office. Altogether, 235 infor-

mation and situation reports were issued. UNDRO offered assistance to earthquake victims in Argentina, Paraguay, Portugal, and Bolivia and to drought and famine victims in Benin, Somalia, and Ethiopia. Cyclones and typhoons ravaged Fiji and Vietnam, causing need for economic and humanitarian assistance.

During the year, 23 relief assessment missions were undertaken either by UNDRO or jointly with other agencies, sometimes covering more than one country. In exercising its mobilization and coordination function, UNDRO worked in close cooperation with many organizations in the UN system, as well as with those other intergovernmental and nongovernmental organizations involved in humanitarian relief.

## **DISASTER PREPAREDNESS**

In the areas of disaster preparedness, UNDRO attempts to integrate human and material resources into an effective national system of readiness in order to minimize the loss of lives and damage when a disaster strikes.

Consequently, its technical assistance programs are aimed at the establishment and strengthening of sound national structures capable of immediate action. Preparedness projects at the national level were carried out in Chad, Indonesia, and Tanzania. In addition, preparedness projects were carried out at subregional, regional, and international levels. One such example, the Pan-Caribbean Disaster Preparedness and Prevention Project, covers 28 island countries and territories. Begun in 1984, the project has been instrumental in the creation of national emergency offices in several of the smaller states and areas of the region. The total budget for the UNDRO component of the project during the past year was about \$600,000, provided mainly by grants from AID/OFDA and the Inter-American Committee for Agricultural Development.

UNDRO also undertook a study of the whole question of expediting the flow of international relief, with particular reference to the principles of international law involved. The study resulted in the preparation of a draft international convention, which was presented to the General Assembly in November 1984. No action has been taken thus far on this draft convention.

## **DISASTER PREVENTION**

In the area of disaster prevention, UNDRO promotes the embodiment of the most cost-effective mitigation technologies in national development plans by providing technical assistance to individual countries. UNDRO participated in, or cosponsored, studies, seminars, and projects concerning earthquakes, floods, volcanic eruptions, early

warning systems, and economic impact assessments of natural disasters and relief policy planning. Most of these activities combined prevention and preparedness and were implemented in cooperation with other UN agencies, governments, or intergovernmental bodies.

Two of the disaster prevention projects undertaken in 1984 were the Earthquake Risk Reduction Seminar in the Balkan Area and a Seminar on Seismicity and Seismic Risk in the Ibero-Maghrebien Region. Interregional seminars on flood control were organized in addition to country projects in Argentina, Egypt, Mozambique, and Poland to curtail problems precipitated by floods. A detailed prevention plan devised for Papua New Guinea produced one of the most comprehensive programs existing for volcanic emergencies.

The year under review saw a strengthening of UNDR0's activities in the area of public information, data processing, and communications. Much of the information collected by UNDR0 is made available through its disaster Situation Reports and through UNDR0's bimonthly publication, *UNDR0 NEWS*.

## ECOSOC

At the summer ECOSOC in 1983, a report known as the "Goundry Report"<sup>12</sup> examined the problem of strengthening the capacity of the UN system to respond to natural and other disasters. A resolution of the 38th General Assembly requested the Secretary General to submit specific proposals to the 39th General Assembly through ECOSOC regarding the problem. The Secretary General's subsequent report was entitled "Office of the UN Disaster Relief Coordinator" and contained specific proposals on various spectra of the problem, addressing concerted programs, delivery of relief supplies to and within a disaster area, and roster of experts and specialists who could control, mitigate, and monitor all types of disasters. It also discussed general purpose funding, evaluating, transition to rehabilitation and reconstruction phase, and disaster preparedness and prevention. The report also contained a proposed draft convention on expediting the delivery of emergency relief.

On July 26 the Council adopted a draft resolution entitled "Office of the UN Disaster Relief Coordinator," which embodied the Secretary General's proposals and emphasized the essential need for the work of UNDR0 to be kept on a sound financial basis and appealed to the international community to make contributions to the Trust Fund for General Disaster Relief or to the Trust Fund for UNDR0 for purposes

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<sup>12</sup>The report had been prepared by the Secretary General in consultation with Mr. Gordon Goundry, former Assistant Secretary General for Special Political Questions and Joint Coordinator of Special Economic Assistance Programs.



set out in the Secretary General's report on the activities of the office. (E/Resolution 1984/60.)

At the same meeting, a decision was adopted which, *inter alia*, took note of the Secretary General's proposed draft convention. (E/Decision 1984/175.) The draft proposal is strongly opposed by numerous Western countries and would require extensive changes to make it acceptable to the United States.

## GENERAL ASSEMBLY

The Second Committee considered the subject from November 2 to December 6. On November 6 the U.S. Representative, Harold S. Fleming, stated that his country had a strong interest in the overall international coordination of disaster relief efforts in order to avoid duplication, waste, and mismanagement. He added that it was gratifying that UNDRO had been able to respond to the increased need for relief mobilization and coordination activities as a result of tighter management controls and an enhanced information system.

On November 20 Kenya, subsequently joined by 27 other countries, introduced a draft resolution entitled "Office of the UN Disaster Relief Coordinator." On December 6 a draft resolution based on the result of informal consultations on the prior draft was introduced by the Vice Chairman of the Committee. This draft resolution was approved without a vote on the same day, and the original draft was withdrawn. The resolution was adopted in the same manner by the plenary Assembly on December 17. This resolution paralleled the ECOSOC resolution and reemphasized the importance of the essential need for the work of UNDRO to be placed and kept on a sound financial basis and requested the Secretary General to assign a higher priority to that need. (Resolution 39/207.)

## UN High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees (UNHCR), organized in 1951, is mandated to provide legal protection and material assistance to refugees and to promote permanent solutions for refugee problems. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. In general, the Statute applies to those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, religion, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the government of that country. The term of the current High Commissioner, Poul Hartling (Denmark), expires December 31, 1985.

The Executive Committee of the UNHCR<sup>13</sup> meets annually in Geneva to review the work of the UNHCR and approve the budget. At this meeting, the UNHCR also advises the Executive Committee on any special activities. The U.S. Representative Ex-Officio at the 35th session of the Executive Committee, held in October 1984, was the Honorable Gerald P. Carmen, Ambassador, U.S. Mission to the European Office of the UN and Other International Organizations, Geneva. James N. Purcell, Jr., Director of the Department of State's Bureau for Refugee Programs served as U.S. Representative.

## INTERNATIONAL LEGAL PROTECTION

The basic legal mechanisms for the protection of refugees are the 1951 Convention relating to the Status of Refugees, which is restricted to persons who became refugees as a result of events occurring before 1951, and the 1967 Protocol, which removes the time limit on eligibility. By 1984, 97 states had become parties to one or both of the treaties. The United States is a party to the Protocol. States acceding to these international instruments accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his life or freedom would be threatened because of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as to the measures taken for the maintenance of public order.

The international protection of refugees includes ensuring that they are granted political asylum and that those who wish to return voluntarily to their country of origin may do so without penalty for having fled. The UNHCR also is concerned with providing basic care and maintenance for refugees, including meeting emergency needs, and with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law.

For the past several years major contributors, including the United States, have been urging the UNHCR to strengthen its capacity for rapid response through emergency preparedness. During 1984 the UNHCR, faced with a potential refugee emergency in eastern Sudan, was repeatedly requested to institute contingency preparations in order to meet the anticipated needs of half a million

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<sup>13</sup>Members of the Executive Committee in 1984 were Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Sudan, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia, Zaire, and the UN Council for Namibia.

refugees. Unfortunately, this planning requirement was basically ignored until the end of 1984, when large numbers of refugees from the Ethiopian provinces of Tigray and Eritrea flooded into the Sudan. The lateness in the preparations by the UNHCR's office contributed to the unnecessary suffering of many of these refugees as they sought assistance in Sudan. The UNHCR, through its Emergency Operations Unit, is endeavoring to systematically upgrade its worldwide institutional preparedness for anticipating and responding to emergencies.

## GENERAL ASSEMBLY

On November 20 two draft resolutions were introduced in the Third Committee, both of which were approved without a vote on November 20 and adopted in the General Assembly in the same manner on December 14.

The first, entitled "Second International Conference on Assistance to Refugees in Africa," was introduced by Cameroon on behalf of the members of the African Group. The Conference (ICARA II) had been held in Geneva July 9-11 and had adopted a Declaration and Program of Action for aiding African refugees. The resolution, *inter alia*, endorsed the Declaration and, while emphasizing the complementarity of refugee aid and development assistance, also stressed the need for durable solutions through voluntary repatriation or local integration of refugees. To support these efforts, the strengthening of social and economic infrastructures of African countries receiving and producing refugees should become a primary goal of all pertinent organizations of the UN system, as well as all relevant regional, inter- and nongovernmental organizations, within their sphere of competence. The final portion of the resolution requested the Secretary General to report through ECOSOC to the General Assembly at its 40th session on the implementation of this program. (Resolution 39/139.)

The second draft, introduced by Finland and subsequently sponsored by 43 countries, including the United States, concerned the "Report of the UN High Commissioner for Refugees." This resolution stressed the need for states to cooperate with the UNHCR by continuing to provide economic assistance and resettlement opportunities. The resolution also condemned all violations of the rights and safety of refugees and asylum-seekers by reason of acts of commission as well as omission. (Resolution 39/140.)

Speaking in Committee after the vote, the U.S. Representative, Margaret C. Jones, said that the United States was pleased to see the resolution adopted without a vote. She wished to state for the record, however, that the endorsement by this resolution of the Declaration adopted at the Second International Conference for Assistance to Refugees in Africa in July did not imply acceptance by her govern-



ment of every provision contained in the various documents and instruments referred to in the Declaration. In particular, the Organization of African Unity Charter on Human and Peoples' Rights is gravely flawed by its call for the elimination of Zionism, and her Delegation took the strongest exception to this provision.

## **OFFICE FOR EMERGENCY OPERATIONS IN AFRICA**

The Secretary General of the United Nations announced on December 17, 1984, the establishment of the UN Office for Emergency Operations in Africa (OEOA) to accomplish effective coordination of assistance and support of the United Nations for those African countries affected by catastrophic drought and famine. In addition to coordinating emergency relief efforts with such UN agencies as UNDP, UNICEF, WFP, UNHCR, and UNDRO, the Secretary General also pledged that the office "will provide all appropriate and necessary assistance requested by the affected countries and the international community at large." UNDP Administrator Bradford Morse was named Director of OEOA.

The U.S. Representative to the UN Economic and Social Council, Alan L. Keyes, applauded the Secretary General's initiative and emphasized that "the United States will cooperate with the United Nations in affected countries and support coordination efforts."

## **UNHCR PROGRAMS**

In 1984 UNHCR allocated a total of \$419.7 million for refugee aid throughout the world. The United States contributed \$110.9 million in support of UNHCR assistance programs, which represents 26% of this total.

### **Africa**

UNHCR allocated a total of \$158.5 million for programs in Africa in 1984. The United States contributed \$46.5 million toward these programs. The largest UNHCR programs were in Sudan, with almost a million refugees from Ethiopia, Uganda, and Chad (\$39.8 million), and in Somalia, with several hundred thousand refugees from Ethiopia (\$38.2 million). Other large UNHCR programs were in Ethiopia (\$11.9 million); Zaire (\$8.7 million); Uganda (\$8 million); and Angola (\$7.2 million).

In July 1984 the UNHCR, along with the Office of the UN Secretary General, the UNDP, and the OAU, sponsored the Second International Conference on Assistance to Refugees in Africa (ICARA II) to promote lasting solutions for African refugees. The Conference launched a process of integrating refugee assistance with develop-

ment assistance so as to better address the social and economic infrastructural burdens on lesser developed African countries of asylum.

By late 1984 it was painfully clear that UNHCR resources were being overtaken by new African refugee emergencies. Drought, combined with civil strife, pushed some 500,000 more Africans across borders, while refugees who had attained some measure of self-reliance in asylum countries saw that self-reliance shattered by the lack of rainfall and declining employment opportunities. By the end of 1984, UNHCR had issued emergency appeals totaling \$24.8 million, and the United States had responded with an additional contribution in the amount of \$7.2 million.

### **Latin America**

UNHCR allocations for programs in Latin America in 1984 were \$41.3 million. Most of these funds were devoted to programs in Central America; specifically, Honduras (\$14.3 million), Mexico (\$9.2 million), and Costa Rica (\$6.6 million). Honduras continues to be the largest UNHCR program in this region, where 20,000 Salvadorans, 14,000 Miskito Indians from Nicaragua, 4,500 non-Indian Nicaraguans, and 500 Guatemalans receive international assistance. There are 43,000 Guatemalans in refugees camps in Mexico, and some 6,000 Nicaraguans and 5,400 Salvadorans in Costa Rica who are assisted by the UNHCR. The United States contributed \$11 million toward the UNHCR assistance programs in Latin America.

### **Asia**

In 1984 UNHCR allocated \$81.8 million to assist refugees in Asia. The largest UNHCR assistance program in this region was for the care of Indochinese refugees in Southeast Asian countries of first asylum. The United States contributed \$18.6 million in support of these UNHCR care and maintenance programs in Southeast Asia.

At the end of 1984, 181,360 Indochinese refugees occupied UNHCR-supervised camps, compared to the 166,055 at the end of 1983, because of the arrival by boat and land of an estimated 72,516 refugees, the recent influx of lowland Lao into Thailand, and the registration of some 4,300 Khmer in Thailand who were previously unregistered. During 1984 a total of 90,604 Indochinese refugees were resettled abroad, including 53,021 in the United States.

UNHCR continued to pursue other solutions to the Indochinese refugee problem in Southeast Asia, such as voluntary repatriation when possible, and the Orderly Departure Program (ODP), a program through which asylum seekers may emigrate legally from Vietnam. In the past year, 203 Laotian refugees were voluntarily repatriated to their homelands; 4,991 Vietnamese used the ODP to join relatives in

the United States; and another 15,862 were resettled through the ODP in other countries. The United States contributed \$400,000 toward the UNHCR administrative costs of the the ODP program.

UNHCR and Royal Thai Government cooperation in a program to combat pirates' attacks on Vietnamese boat refugees in the Gulf of Thailand has led to the successful prosecution of some of these persons and a decline in the number of attacks. The United States contributed \$3.8 million in support of this antipiracy effort and other rescue-at-sea activities.

### **Near East and Southwest Asia**

In 1984 UNHCR allocated \$85.5 million for programs in this region, the largest program by far being the care and maintenance of Afghan refugees in Pakistan, for which the General Program required \$64.6 million and the Special Program required \$10.6 million. In 1984 the between 2 and 3 million Afghans in Pakistan constitute the largest refugee population in any country of the world. The United States contributed \$23.9 million to UNHCR for its Afghan refugee assistance program.

A U.S. contribution in the amount of \$7.5 million supported programs in Cyprus.

### **Europe and North America**

During 1984 UNHCR allocated \$11.2 million for programs to assist refugees in Europe and North America. UNHCR programs in Europe primarily assist refugees in transit and those refugees who are awaiting repatriation or permanent resettlement.

## **International Cooperation To Avert New Flows of Refugees**

This item has been on the agenda of the General Assembly since 1980, when it was initiated by the Federal Republic of Germany in the interest of arriving at an agreed set of principles for state-to-state relations regarding actions and situations that might cause new flows of refugees. A Group of Governmental Experts to Develop Recommendations on International Cooperation to Avert New Flows of Refugees was established in 1981. The Expert Group comprises 25 member states,<sup>14</sup> including the United States, and the Secretary Gen-

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<sup>14</sup>Afghanistan, Australia, Austria, Bulgaria, Cuba, Czechoslovakia, Djibouti, Ethiopia, France, Federal Republic of Germany, Honduras, Japan, Lebanon, Lesotho, Mexico, Nicaragua, Pakistan, Senegal, Somalia, Sudan, Thailand, Togo, the U.S.S.R., the United States, and Vietnam.



eral was called upon, without prejudice to the rule,<sup>15</sup> to assist, so far as possible and by way of exception, the experts coming from the least developed countries to participate in the work of the Expert Group.

The Group of Experts held a third and fourth session during 1984, from March 26 to April 6 and from June 11 to 22, respectively. Ambassador Harvey J. Feldman and Dennis Goodman represented the United States during the third session; Ambassador Feldman served as the U.S. Representative at the fourth session.

In accordance with the program of work agreed upon at its prior sessions, the Group considered an analysis of its mandate, including questions relating to terms, and circumstances causing new massive flows of refugees. The questions of appropriate means to improve international cooperation to avert new flows and conclusions and recommendations remained to be considered. In view of the stage reached in its deliberations, the Group requested a renewal of its mandate in order to make every effort to conclude its comprehensive review of the problems in all its aspects.

On October 19 the Special Political Committee had before it a draft resolution subsequently sponsored by 35 states. The draft renewed the mandate of the Group of Governmental Experts to study the problems of refugees for 1 year and again called on the Secretary General to continue to financially assist experts coming from the least developed countries. The draft also renewed the Group's mandate for two sessions of 2 weeks' duration each during 1985, and requested that it make every effort to conclude its comprehensive review of the problem in all its aspects. The resolution was approved in Committee on October 23 and adopted by the General Assembly on December 14, in both instances without a vote. (Resolution 39/100.)

Speaking in Committee after the vote, the U.S. Representative, John M. Herzberg, welcomed the adoption of the draft resolution without a vote and expressed the hope that the Group of Governmental Experts would be able to formulate practical proposals to help to avoid in future the suffering currently experienced by many millions of refugees. He also expressed the hope that the current division of labor, in which some countries caused massive flows of refugees, while others, including his own country, were obliged to care for them, would be brought to an end.

Because of the importance and urgency of the refugee problem, his delegation had not opposed an increase in the assessed portion of the UN budget. The experts from least developed countries, who were

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<sup>15</sup> "4. Decides to establish a group of governmental experts of 17 members whose expenses, as a rule, shall be borne by each nominating state for its expert to be appointed, upon nomination by the member state, by the Secretary General after appropriate consultation with the regional groups and with due regard to equitable geographical distribution"; A/Res/36/148-12/16/81:OP.Para 4.

serving in the Group of Governmental Experts in their individual capacity, had made a valuable contribution to the discussions and, in most cases, came from countries which had been directly affected by recent influxes of refugees. He added that the Secretary General should try to ensure that the travel expenses of those experts were absorbed by the current biennial budget.

## Social Development

The UN Commission for Social Development (UNCSD) did not meet in 1984 under its system of biennial meetings.

### AGING AND THE DISABLED

Following the World Assembly on Aging and the adoption of the World Program of Action Concerning the Disabled in 1982, the United Nations continued to demonstrate concern on both issues with the implementation of the International Plan of Action on Aging and the UN Decade for the Disabled.

In response to resolution 38/27, the International Conference on Population, which met August 6-14, 1984, in its Recommendation 58 urged governments to reaffirm their commitments to the implementation of the Plan of Action on Aging.

On November 1 the Third Committee of the 39th General Assembly entertained two draft resolutions, both of which were approved without a vote on November 13, and adopted by the plenary Assembly in the same manner on November 23.

The first draft was introduced by Austria, and subsequently sponsored by 31 other countries, including the United States. The draft, entitled "Question of Aging," *inter alia*: (1) called upon governments to consider the changing age structure of the population in their plans for economic and social development; (2) requested the Secretary General to continue his efforts for the implementation of the Plan of Action at all levels and to continue to promote the UN Trust Fund for the World Assembly on the Aging; and (3) requested the Secretary General to report to the 40th General Assembly on measures taken to implement the present resolution, taking into consideration the review of the Plan of Action to be undertaken by the Commission on Social Development at its 39th session in 1985. (Resolution 39/25.)

The second draft resolution, introduced by the Philippines and subsequently cosponsored by the United States and 36 other countries, was entitled "UN Decade of Disabled Persons." Among other things, the resolution requested the Secretary General to strengthen the Center for Social Development and Humanitarian Affairs through a relocation of existing resources to enable the Center

to continue as a focal point in the field of disability and, pending completion of an elaboration and adoption by the Secretary General of guidelines for priority actions during the Decade, the Trust Fund for the International Year of Disabled Persons should continue to support the activities of the Decade. (Resolution 39/26.)

The U.S. Representative in the Third Committee, Margaret Jones, said that her government attached great importance to the UN Decade of Disabled Persons and would accordingly not oppose the adoption of the draft resolution without a vote; it would, however, carefully monitor its passage through the Fifth Committee and the General Assembly, and wished to stress that the draft had no program budget implications whatsoever.

## YOUTH

On November 1 three draft resolutions were introduced in the Second Committee, all pertaining to youth. The three drafts were approved in Committee without a vote on November 13 and adopted by the plenary Assembly on November 23 in the same manner.

The first, entitled "International Youth Year: Participation, Development, Peace," was introduced by Romania on behalf of 105 member countries, including the United States. The draft, *inter alia*, (1) endorsed the recommendations made by the Advisory Committee for the International Youth Year; (2) requested the Secretary General to take all measures recommended by the Advisory Committee with a view to ensuring an appropriate observance of the Year within the UN system; (3) recommended that states members should include youth representatives in their delegations to the 40th General Assembly; and (4) decided that the 4th session of the Advisory Committee should be convened with a view to working out guidelines for further planning and suitable followup in the field of youth to be transmitted to the 40th General Assembly. (Resolution 39/22.)

The second draft resolution was introduced by Czechoslovakia on behalf of 19 cosponsors and was entitled "Efforts and measures for securing the implementation and enjoyment by youth of human rights, particularly the right to education and work." The draft principally called upon states, governmental and non-governmental organizations, and all bodies of the UN system to pay attention to implementation of resolutions affecting youth, particularly the right to education and vocational training and to work, with a view to resolving the problem of unemployment among youth. (Resolution 39/23.)

The final draft resolution, "Channels of communication between the United Nations and youth and youth organizations," was introduced by Egypt on behalf of 27 cosponsors. Among other things, it: (1) requested the Secretary General to prepare a detailed,



structured, and evaluative report on the implementation of the guidelines and additional guidelines for the improvement of the channels of communication, which would serve as a background paper at the 4th session of the Advisory Committee and to submit that report to the 40th General Assembly; (2) called upon member states, UN bodies, specialized agencies, and other intergovernmental organizations to implement fully the guidelines relating to the channels of communication, not only in their general terms but also in concrete projects dealing with issues of importance to young people; and (3) stressed the necessity of making use, within the framework of the channels of communication, of mechanisms which have been set up by youth and youth organizations themselves at the national, regional, and international levels. (Resolution 39/24.)

## SCIENCE, TECHNOLOGY, AND RESEARCH

### United Nations Environment Program

Acting on the recommendation of the 1972 Stockholm Conference on the Human Environment, the General Assembly at its 27th session in the same year approved resolution 2997 establishing the United Nations Environment Program (UNEP). The basic conception of UNEP, including its Environment Fund financed by voluntary contributions, closely paralleled proposals advanced by President Nixon in a 1972 environmental message delivered to the U.S. Congress.

UNEP is headquartered in Nairobi, Kenya, the first UN program in a developing country. It operates under the policy guidance of a 58-member Governing Council<sup>16</sup> and reports annually to the General Assembly through the Economic and Social Council. The Executive Director of UNEP is Dr. Mostafa Tolba (Egypt), who has held this position since 1976. During 1984 voluntary contributions to the Environment Fund amounted to approximately \$29.5 million, of which the United States pledged \$10 million, or 34%.

UNEP is designated as the UN body primarily responsible for coordinating environmental activities carried out by the UN family of organizations. Through the use of its Environment Fund it also acts

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<sup>16</sup>Members in 1984 were Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Botswana, Brazil, Burundi, Byelorussian S.S.R., Cameroon, Canada, Chile, China, Colombia, Finland, France, Federal Republic of Germany, Greece, Guinea, Haiti, Hungary, India, Indonesia, Italy, Ivory Coast, Jamaica, Japan, Kuwait, Lesotho, Malaysia, Mexico, Morocco, Nepal, Nigeria, Norway, Oman, Papua New Guinea, Peru, Philippines, Poland, Rwanda, Saudi Arabia, Senegal, Spain, Sudan, Tanzania, Thailand, Togo, Uganda, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

as a catalyst in promoting worldwide and regional efforts to improve and preserve the human environment. Of particular importance to the United States are UNEP's programs in the field of environmental monitoring and assessment, especially the Global Environment Monitoring System (GEMS). Another important program is the International Register of Potentially Toxic Chemicals Including Pesticides (IRPTC), which has a mandate to provide information about chemicals, especially pesticides, which can be dangerous to the environment and human health if misused. Other UNEP program areas of significance include its Regional Seas Programs, promoting marine and coastal zone environmental protection agreements among littoral states of the ocean area covered, the Industry and Environment program, and the program to implement the UN Action Plan to Combat Desertification.

The Cartagena Convention for the Protection of the Marine Environment of the Wider Caribbean exemplifies the impact that UNEP's activities have on the United States and to our overall environment policy. This agreement, along with a related protocol on combatting oil spills in the Caribbean, was developed under UNEP's Regional Seas Program. It was signed by the United States, 16 other states, and the European Community at the final experts meeting and plenipotentiary conference in March 1983. The Convention was ratified by the United States on September 6, 1984.

A major project arising from a U.S. initiative in UNEP in 1982 and sponsored jointly by UNEP and the International Chamber of Commerce was the World Industry Conference on Environmental Management (WICEM). The WICEM, held at Versailles, France, in November 1984, was a meeting of 480 top-level delegates from industry and governments representing 69 nations. Attendees included chairmen of major multinational corporations (including U.S. Steel), parliamentarians, cabinet-level government officials (including U.S. Environmental Protection Agency Administrator William Ruckelshaus), scientists, labor representatives, and conservationists. The agreed upon goals of the WICEM were to achieve "mutually-agreed environmental policies and proposals for action" on a global scale through cooperation among businesses, governments, and environmentalists to promote sustainable development and preservation of the environment. The Conference adopted 5 basic principles and 15 major recommendations relating to industry and environment. Followup actions to the WICEM are currently being proposed and will be considered at the 13th session of UNEP's Governing Council in May 1985.

## Governing Council

The 12th Session of the UNEP Governing Council took place in Nairobi, Kenya, from May 16-29, 1984. At this session, the United States achieved substantially all of its major objectives. After years of effort by the United States and many of UNEP's Governing Council participants to limit diffusion and overreaching in UNEP's programs, the Governing Council was virtually unanimous in achieving agreement for UNEP's Executive Director and Secretariat to concentrate resources on a core set of program priorities. Agreed priorities include: (1) the Global Environmental Monitoring System (GEMS), which compiles and analyzes environmental data on worldwide conditions and trends for distribution to interested nations; (2) the Regional Seas Program, which promotes agreements to control pollution and foster environmental management among littoral states of specified ocean regions; (3) implementation of the 1977 Action Plan to Combat Desertification; (4) activities under the Environmental Law Program, which include negotiation of a Convention on Protection of the Atmospheric Ozone Layer and development of guidelines on both environmental impact assessment and notification of international transfers of hazardous substances; and (5) UNEP's Information Program to encourage the transfer of environmental protection information.

The U.S. Delegation to the 12th Council successfully advocated reduction or elimination of UNEP involvement in certain areas where UNEP's investment level does not contribute meaningfully or its program activities duplicate those done better elsewhere (e.g., natural disasters, water resources, and energy). At the same time, the United States called for new UNEP initiatives in "biological diversity," an emerging interdisciplinary, interagency issues area for which UNEP is well suited to play a central planning and organizing role in providing an integrated UN response.

A decision by the Council on financial/administrative matters substantially lowered the program budget ceiling for the 1986-87 biennium to \$50 million, which is more in line with expected contributions, and called upon the Executive Director to present the budget to the 13th Governing Council session in 1985 in a format which will facilitate consideration of future program activities. The United States feels that this is an important achievement, since it should further assist in shaping priorities and eliminating low priority program components.

The 2-day assessment of progress made by the international community in implementing the 1977 Desertification Action Plan led to adoption of a U.S.-initiated decision calling for major restructuring of UNEP's activities for promoting and coordinating that Plan. The United States took a strong stand that, up to now, UNEP's insti-



tutional arrangements for desertification have been ineffective and "irrelevant" to whatever progress has been made since the Plan's inception. The institutional reform of the Desertification Branch, Consultative Group, and Interagency Committee should result in reallocation of funds and manpower to tasks having a much higher potential for success than those undertaken previously, thus ensuring that limited resources are applied more efficiently. The U.S. position and initiative on desertification drew broad support from affected developing countries, including the Sahelian states.

U.S. proposals on two new UNEP-formulated global action plans—for soils and marine mammals—were adopted virtually without change as Council decisions. The decisions endorsed each of the action plans as providing good frameworks for planning and programming and called upon governments and international organizations to respond appropriately. Most importantly, they avoided the adoption of overambitious financial plans which had previously been developed by UNEP based on the expectation of greater contributions than are now forthcoming.

Probably the most significant Council action in connection with UNEP's Environmental Law Program was a decision establishing terms of reference for further negotiation on a Convention to protect the Atmospheric Ozone Layer. A meeting of the *Ad Hoc* Working Group of Legal and Technical Experts convened in January 1985 to put finishing touches on the draft convention text and to continue work on a related (but nonintegral) protocol which would control specific ozone-depleting substances. This was followed by a diplomatic conference in March 1985 to adopt a "framework" convention (encompassing research, monitoring, and information exchange). Work on the protocol will continue until an agreement can be reached.

Also under the Environmental Law Program, the Council agreed to experiment with a provisional notification scheme developed by an experts working group to monitor international transfers of hazardous substances (chemicals). In order to allow sufficient time to test the notification scheme in practice, the Council specified that the Executive Director should report to the Governing Council session of 1987 on country experience with this procedure.

In another Environmental Law program area, the United States hosted an experts meeting in Washington, D.C., on June 26–29, discussing international guidelines for environmental impact assessment. The meeting agreed that a U.S.-initiated set of goals and principles would be a suitable basis for future UNEP work on this subject, and China indicated its interest in hosting a followup meeting of the experts group. We consider this an important step in fulfilling U.S. Senator "Pell's resolution," which calls for negotiation of an international convention on environmental impact assessment.

The 12th session made significant progress toward further reform to improve UNEP's Information Program, a long-standing principal objective of the United States and many other countries. UNEP's publications program will be substantially revised, with elimination of the subsidy to the often criticized magazine *Mazingira*. The periodical publications *Infoterra* and *Reports to Governments* will be replaced by a new periodical newsletter plus experimental *ad hoc* approaches to providing information to governments. Much greater emphasis is to be placed in the future on reporting the results and implications of UNEP-sponsored activities. Finally, the United States made significant progress in efforts to gain the Council's support for greater involvement of private sector institutions, including nongovernmental environmental organizations, foundations, universities, business, and industry, in international environmental activities in general, including UNEP activities. The United States praised UNEP's role in preparations for the WICEM, in particular, as an excellent initiative directed toward such private-sector involvement. In addition, the United States called for UNEP to rely more heavily on environmental nongovernmental organizations in the future work of the Information Program, and particularly in spearheading a new approach on biological diversity. The United States called specifically on the International Union for the Conservation of Nature and Natural Resources (IUCN) to assist in UNEP's efforts in natural resource maintenance and conservation.

Notwithstanding the reduced overall politicization of its 12th session, the Council did adopt two decisions on political issues which the United States continues to regard as extraneous to UNEP's field of responsibility. While the United States was able to join in a consensus decision on apartheid, we were isolated (Israel not being a Council Member) in voting against a decision condemning Israel's Mediterranean-Dead Sea Canal project. In contrast to former years, the political decisions were dealt with quickly and largely without acrimony.

## ECOSOC AND GENERAL ASSEMBLY CONSIDERATION

As in previous years, ECOSOC approved an omnibus decision on the environment which it forwarded to the General Assembly. Topics concerning the environment considered by ECOSOC included a report of the Governing Council of UNEP on its 12th session and a report of the Secretary General on remnants of war. There were also notes by the Secretary General on the transmission of the report of the UNEP Governing Council on its comprehensive assessment of the status of desertification and of the implementation of the Plan of Action to Combat Desertification, the implementation in the Sudan-Sahelian region of the Plan of Action to Combat Desertification, conventions

and protocols in the field of the environment, and the register of international treaties and other agreements in the field of the environment.

The General Assembly requested UNEP to collect all information to assist the developing countries affected by remnants of war and their efforts to detect and clear them. It also called upon the Consultative Group for Desertification Control to further intensify its efforts to assist the Executive Director of UNEP in the mobilization of resources for the implementation of the Plan of Action to Combat Desertification and urged governments to increase their awareness of and assistance to the Plan of Action.

## Effects of Atomic Radiation

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR)<sup>17</sup> was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmosphere and surface nuclear weapons tests, nuclear power plants, and peaceful nuclear explosions), environmental radiation, and medical and occupational exposures.

Under its terms of reference, the Committee receives, assembles, and compiles reports and information furnished by its member states, members of the United Nations, specialized agencies, the IAEA, and non-governmental organizations on observed levels of ionizing radiation and on scientific observations and experiments relevant to the effects of ionizing radiation on man and his environment.

Since its establishment, the Committee has prepared and submitted to the General Assembly five comprehensive reports on the effects of ionizing radiation. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in 1973 to evaluate the radiological hazards created by the testing activities of one country if asked to do so by a possibly injured neighboring country. To date, no such evaluations have been requested.

The 33rd session of UNSCEAR met in Vienna from June 25 through June 29, 1984. The U.S. Delegation was headed by Dr. Robert D. Moseley. The Committee took note of General Assembly resolution 38/78, by which the Committee was requested to continue its work, including its important coordinating activities, to increase

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<sup>17</sup>The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and the United States.



knowledge of the levels, effects, and risks of ionizing radiation from all sources.

In the course of its opening meeting, the Committee heard an address given, on behalf of the Executive Director of the UN Environment Program (UNEP), by the Deputy Executive Director of that organization. The Committee expressed appreciation for the continued attention given to its activities by UNEP and for the support provided to the Secretariat, which has enabled it effectively to carry out its mandate.

The technical discussions which occupied most of the session centered on different topics, as follows: radiation-induced cancer, including both the basic and the more practical aspects related to the establishment of absolute risk estimates; developmental effects induced by irradiation *in utero*; and early effects caused in man by high radiation doses. Hereditary effects of radiation were examined in man, as well as in a range of other mammalian species. Attention was also given to natural sources of radiation; exposures resulting from nuclear explosions and the associated production cycles; the radiological impact of the nuclear fuel cycle; exposures due to medical uses of radiation and radioisotopes. The Committee had also general discussions on the evaluation of the health detriment induced by exposure to radiation and the means of measuring and expressing such detriment.

The above topics were considered on the basis of technical documents prepared in the Secretariat. Their discussion resulted in suggestions and requests for modification of such documents, which will provide supporting material for the next substantive report of the Committee to the General Assembly. Documents presently under consideration by the Committee are in different stages of preparation. Some of them will be finalized as soon as scientific information, which is thought to be critical for the Committee's deliberations, will be made available.

The Committee stressed that the completeness and precision (and therefore the usefulness) of its conclusions rest on data produced by others. It is therefore vital for the activity of collation and assessment of scientific data performed on behalf of the General Assembly that member states of the United Nations, the specialized agencies, the World Health Organization, the International Atomic Energy Agency, and other scientific organizations may assist in providing information on the subjects mentioned above. The Committee expressed the hope that this might be done in the future to an even greater extent than in the past.

The 36th session is scheduled for June 10-14, 1985, at the Vienna International Center.

The Special Political Committee of the General Assembly considered the UNSCEAR report at two meetings on October 8 and 9. At the first meeting, Japan introduced a draft resolution on behalf of 26 countries, including the U.S.S.R. and the United States. At the time the draft was introduced, the U.S. Representative in the Special Political Committee, Walter S. Viglienzzone, said that his country, which was a sponsor of the draft resolution, continued to take great interest in the work of the UN Scientific Committee on the Effects of Atomic Radiation, which had discharged its mandate with the highest competence since its establishment 29 years earlier. U.S. governmental and private agencies had constantly exerted efforts to supply it with all the data necessary for the accomplishment of its functions.

His delegation noted with satisfaction that the Committee's report was once again characterized by its objectivity and that cooperation between the Committee, the UN Environment Program, and the International Atomic Energy Agency was continuing; it hoped that such cooperation would develop further.

The draft, *inter alia*, (1) requested the Committee to continue its work, including its important coordinating activities; (2) urged the Committee to continue its review of important problems in the field of radiation and to report these results to the 40th General Assembly; and (3) requested UNEP to continue its support of the Scientific Committee's work and for the dissemination of its findings to the Assembly, scientific community, and the public.

The draft was approved in Committee without a vote and adopted in the plenary Assembly on December 14 in the same manner. (Resolution 39/94.)

## **New and Renewable Sources of Energy**

During 1984 little progress was achieved toward implementation of the Program of Action adopted by the UN Conference on New and Renewable Sources of Energy, held in Nairobi in 1981. An Interim Committee met in Rome in 1982, where discussion centered on the role of the UN system and the establishment of "consultative mechanisms" to generate additional funding, improve coordination between various sources of financing, and encourage cofinancing of the Program of Action. The United States and other industrialized countries emphasized the importance of bilateral and private efforts but joined in a consensus report, noting that the UN system "had a vital role to play" because of its universal nature.

The major area of disagreement at Rome was the question of establishing permanent institutional arrangements for implementing the Nairobi Program of Action. The United States and other developed countries attempted to limit the expansion of the UN bureaucracy by

proposing that followup functions be carried out by the already existing Committee on Natural Resources. The Group of 77 pressed for the establishment of a new intergovernmental committee and a new support unit within the Secretariat. The Rome meeting ended with the institutional questions unresolved.

From September 4-10, 1984, the Economic and Social Commission for Asia and the Pacific (ESCAP) convened a high-level regional consultative meeting for the mobilization of financial resources for new and renewable sources of energy (NRSE). The meeting was attended by representatives of 25 member and nonmember countries, UNCTAD, UNDP, UNEP, UNESCO, UNICEF, UNIDO, ILO, and FAO.

No significant initiatives on NRSE programs resulted from the meeting. Pledges of assistance from donor countries were also few and tentative. The United Kingdom, Australia, and Belgium offered support for regional programs, but only Japan made a firm commitment to fund two solar demonstration projects.

The United States noted the significant contribution which AID is making to energy development in the region through its bilateral program but stressed U.S. preference for bilateral assistance rather than through regional organizations. A list of U.S. projects was reproduced and distributed to delegates at the meeting who received it enthusiastically.

The statements of country representatives indicated a general consensus on some issues where resources should be devoted to documentation of projects and less to studies of projects which had already been well researched. Among these studies are research on solar energy, firewood and charcoal, hydropower, and biogas and wind energy. It was also the general consensus that the effectiveness of existing energy networks within countries of the region should be evaluated before any new ones are created.

## **COMMITTEE ON THE DEVELOPMENT AND UTILIZATION OF NEW AND RENEWABLE SOURCES OF ENERGY**

The second session of the Committee on the Development and Utilization of New and Renewable Sources of Energy was held at UN Headquarters, April 23-May 4. The Committee reiterated the need for the early and effective implementation of the Nairobi Program of Action and reaffirmed the importance of the areas for priority action, as identified in sections of the Nairobi Program. While action is necessary in all areas identified for priority action, it should be recognized that the specific circumstances of each country or region need to be reflected and relative emphasis be given to specific nations' programs and projects. The Committee reaffirmed that the primary



responsibility for promoting the development and utilization of new and renewable sources of energy rested with individual countries.

The implementation of the Nairobi Program opens up new options to respond to the energy requirements of developing countries in the context of efforts to promote social and economic development.

## **GENERAL ASSEMBLY**

At the 28th meeting on October 30, Egypt introduced on behalf of the Group of 77 a draft resolution entitled "Implementation of the Nairobi Program of Action for the Development and Utilization of New and Renewable Sources of Energy." On November 30 the Vice Chairman of the Committee introduced a draft resolution by the same title and which had been prepared on the basis of informal consultations on the Egyptian draft resolution. The draft was a perfunctory one of no real substance, which only expressed concern of the implementation of the Nairobi Program, which had been slow and fallen far short of the urgent needs of developing countries, and also concern at the results of the few regional consultative meetings which have thus far been convened, and reiterated that thorough preparation, as well as financial and technical support, was necessary for ensuring the convening and success of such meetings at the national, regional, and global levels. The draft was approved in Committee on November 30 without a vote and adopted in the same manner in the plenary Assembly on December 17. (Resolution 39/173.)

## **Science and Technology for Development**

By resolution 34/218 of December 19, 1979, the General Assembly created three bodies: (1) the Intergovernmental Committee for Science and Technology for Development (IGCSTD), open for participation by all UN members, to formulate policy guidelines and identify priorities and activities in this area; (2) the Center for Science and Technology for Development, to coordinate science and technology activities within the United Nations at the Secretariat level; and (3) the Interim Fund for Science and Technology for Development, to be sustained by voluntary contributions and administered by UNDP until the end of 1981. The General Assembly gave the Interim Fund permanent status in 1982 as the UN Financing System for Science and Technology for Development.

In 1982 the General Assembly adopted a resolution designed to keep going the institutional debate on science and technology for development. Although the resolution established long-term financial and institutional arrangements, it left open to negotiation the difficult questions of establishment of the provisions of the proposed financing plan and the voting rules for its Executive Board. These were further

negotiated at two sessions of the IGCSTD in 1983, both of which the United States attended.

A special session of the IGCSTD in May 1983 failed to reach agreement on creating a broadly based UN science and technology superfund. Three apparently insoluble problems stymied progress: voting powers—no acceptable variation on the principle of universality could be found; burden sharing—a formula for distributing the voluntary contributions could not be agreed upon; and critical mass—while \$50 million for the first year was discussed, it was obvious that it would be difficult to raise \$25 million.

At the fifth regular session of the Intergovernmental Committee in June, a voting formula was found, but the financial contributions question was left unresolved. At the end, the Secretary General was asked to undertake again consultations on the money issues and, if he were satisfied that there was sufficient interest, to call a pledging session for later in the year that, in turn, could lead to a resumed fifth session of the IGC. Because potential donors did not indicate a willingness to contribute to the Financing System, the Secretary General did not call a meeting.

The 38th General Assembly, on the recommendation of the Second Committee, adopted without a vote a resolution that authorized the Secretary General to convene a pledging conference, prior to the sixth IGCSTD session, to announce pledges for the first year and, if possible, provide an indication of the amount that might be contributed in the following 2 years. (Resolution 38/157.)

The sixth session of the IGCSTD met at UN Headquarters from May 29 to June 8, 1984. At that meeting, the Director General for Development and International Economic Cooperation said that in pursuance of resolution 38/157, the UNDP Administrator and he, on behalf of the Secretary General, had held informal consultations with some potential major donor governments in their capitals and also with interested delegations at the UN Headquarters. Those consultations had indicated that the conditions were not appropriate for the Secretary General to convene a pledging conference at the present time.

The 39th General Assembly, on the recommendation of the Second Committee, adopted without a vote a resolution and a decision relative to the Intergovernmental Committee report and to the long-term financial and institutional arrangements for the UN Financing System for Science and Technology for Development.

The first, a resolution entitled "Report of the Intergovernmental Committee on Science and Technology for Development," took note of the report; supported the initiatives of the Intergovernmental Committee with a view to strengthening its role and effectiveness, in particular to adopt a selective approach that will enable it, at each of

its sessions, to conduct deliberations of greater depth by selecting in advance themes for consideration; and, in this context, that the theme of information systems for science and technology for development has been selected for the seventh session, and that the two themes selected for the eighth session are mobilization of resources for science and technology for development of developing countries and technology applied to agricultural development and related development areas. (Resolution 39/164.)

The decision was to reestablish an informal, open-ended inter-governmental working group, which would meet to exchange views on ways and means to facilitate the bringing into effect of the long-term financial and institutional arrangements for the Financing System; recommended that the working group begin its deliberations as soon as possible and meet as necessary, so as to complete its work before the seventh session of the Intergovernmental Committee; and decided to continue the existing operating procedures of the Financing System and urged all countries to contribute to its operation. (Decision 39/428.)

Speaking in explanation of vote in the Second Committee, the U.S. Representative, Dennis Goodman, said that his delegation's support of the decision was predicated both on substantive grounds and on its expectation that the Secretary General would fully absorb the costs involved when presenting his consolidated statement toward the close of the current session.

## **UN Institute for Training and Research**

Established in New York in 1965 as the result of U.S. initiatives embodied in resolutions passed by the UN General Assembly in 1962 and 1963, the UN Institute for Training and Research (UNITAR), an autonomous UN institution, has as its purpose to enhance the effectiveness of the structure and functioning of the UN system by means of training and research. Since January 1983 UNITAR has been directed by Dr. Michel Doo-Kingue.

UNITAR, by the direction of the General Assembly, should be wholly dependent upon voluntary contributions. However, in 1980 and again in 1981, the General Assembly had to make up UNITAR's deficits with "grants-in-aid." The Institute balanced its budget in 1982 due to interest from the Special Purpose Fund being credited to the General Fund, but in 1983 the organization again reported a deficit, this time of almost \$900,000. This was due to expenditures that were well above the original estimates made in September 1982, as well as to a shortfall of \$586,000 in country contributions. Over the strong objections of the United States, the 38th General Assembly awarded UNITAR an "advance" of up to \$886,000, on a "non-recurrent,



reimbursable basis," to be paid off in installments of about \$100,000 annually, beginning in 1986.

UNITAR was able to balance its 1984 budget by eliminating most of its research program for the year. However, at the 39th General Assembly, UNITAR requested and received an exceptional grant of \$1.5 million from the assessed budget to help finance a \$3 million budget for 1985, which includes a "minimum" research program. In response to this action, the Administration has asked Congress to reduce the voluntary contribution to UNITAR for 1985 by the equivalent amount of the U.S. assessed share of the grant, or \$375,000.

UNITAR has three main programs: training courses and seminars developed for diplomats accredited to the United Nations and for Secretariat personnel; a research department attuned to the current needs and interests of the UN community; and the Project on the Future Department which conducts studies of long-term global problems and policy choices for the United Nations. It also conducts programs financed by special purpose grants.

UNITAR is governed by a Board of Trustees composed of 34 members, 4 of whom are *ex officio* members: the UN Secretary General, the President of the General Assembly, the President of ECOSOC, and the Executive Director of UNITAR. The remaining members are appointed by the Secretary General in consultation with the Presidents of the General Assembly and ECOSOC. They serve in an unstructured personal capacity for not more than two 3-year terms. The American on the Board of Trustees, Dr. Joel Segall, President of Bernard M. Baruch College of New York, resigned in June 1984 and has subsequently been replaced by another American, Ambassador Alan L. Keyes.

At its special session held in April 1983, the Board of Trustees thoroughly discussed a report prepared by the Executive Director on the orientation of the program and the future role of UNITAR. At its 22nd session held in March 1984, the Board further discussed the role of the Institute in that light and reaffirmed the importance of UNITAR's mandate and the need to give the Institute the fullest support and the means to perform its functions satisfactorily. The Board stressed the importance of the program for which resources of the General Fund were to be used and which should contain projects that addressed the most pressing issues of concern to member states and to the international community.

In the area of training, UNITAR's activities will be conducted in the context of discussions and consultations that took place in 1983 on the role of the Institute. While the main purpose of UNITAR training continues to be related to the Institute's preoccupations with the maintenance of peace and security and the promotion of economic and social development, a special effort will be made to adjust the training

program to make it particularly responsive to the challenges and requirements of the 1980's. Specifically, UNITAR training activities will be more needs-oriented, more selective, and structured in such a way that they can achieve greater effectiveness and impact.

The Training Department will continue such traditional courses as the seminars for new delegates to the UN General Assembly, the seminar on economic development and its international setting—co-sponsored by UNITAR and the Economic Development Institute of the World Bank—and the joint UN/UNITAR Fellowship Program in International Laws. In addition, the Training Department will continue to respond to requests to set up in-country training programs for diplomats financed by special purpose grants from various member states.

Regarding research, the 1984–85 research program was designed on the assumption that UNITAR's limited resources could be better utilized if the Institute did not engage primarily in basic research, but rather served as a catalyst and synthesizer as well as a monitor of research undertaken elsewhere in its field of competence. The work to be conducted in-house will be highly selective and will be of direct interest to the United Nations and the international community. The research program will focus on peace and security issues, economic and social development, and the adequacy of the UN system to achieve its objectives.

In addition, UNITAR will continue its research activities funded by special purpose grants which cover energy and national resources issues as well as issues concerning the future of the main developing regions of the world. In view of the Institute's limited resources in 1984, the Executive Director recommended to the Board of Trustees that the research program conducted under the General Fund during the biennium 1984–85 be devoted to commemorating the 40th anniversary of the United Nations and to laying the groundwork for a comprehensive research project on the United Nations by the year 2000.

In 1984 UNITAR was only able to balance its budget by postponing or eliminating much of the research program scheduled to take place in the first half of the biennium 1984–85. As a result, the General Fund budget of UNITAR was reduced to approximately \$2.3 million. In its report to the Secretary General, however, the Board of Directors reaffirmed its view that the minimum budgetary level required for a viable program of training and research was \$3 million per year for the period 1984–85. Since the existing pattern of annual contributions gave no promise of meeting these needs, the Board proposed three alternative methods for the mobilization of the funds needed for long-term financing of UNITAR: the setting up of a reserve fund of \$15 million; the adoption of a replenishment system; or the

establishment of an endowment fund of at least \$50 million. None of the methods were found to be acceptable by the major contributors.

As a result of this impasse, a resolution was adopted at the 39th Session of the General Assembly to grant UNITAR \$1.5 million, on an exceptional basis, to supplement the funds raised through voluntary contributions for the General Fund, in order to enable the Institute to carry out its minimum training and research program in 1985 at the level of \$3 million. The resolution was adopted by the General Assembly 127 to 10 (U.S.), with 11 abstentions. (Resolution 39/178.)

The United States contributed \$422,000 to UNITAR's General Fund in fiscal year 1984 and originally pledged the same amount for fiscal year 1985. In response to resolution 39/178, however, the United States is considering a reduction of this pledge by an amount equal to its proportionate share (\$375,000) of the grant to UNITAR from the assessed budget.

## **Export of Potentially Harmful Products**

On the subject of potentially harmful products in international commerce, the Secretary General distributed the "first issue revised," dated July 1984, of the "Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted, or Not Approved by Governments." This was a revision of the list issued at the end of 1983 under the authority of resolution 37/137.

The Secretary General submitted to the 39th General Assembly a report on the progress of the implementation of resolution 37/137. The report served as the focal point of discussion in the General Assembly's Second Committee. On November 9 Venezuela, on behalf of 20 cosponsors, submitted a draft resolution entitled "Protection against products harmful to health and the environment." In the course of negotiations on this resolution, the United States reiterated its concern that producing a list on this subject by the UN Secretariat was a wasteful duplication of existing efforts by other technical agencies in the UN system, in particular by the World Health Organization, the International Register of Potentially Toxic Chemicals (IRPTC) of the UN Environment Program, and the Food and Agriculture Organization.

The United States contended that, if it were absolutely essential that the United Nations in New York take some action on this subject, it would be better that the "consolidated list" be converted into a reference directory. It would name each product controlled by individual governments for potential danger to health and environment, under firmly established criteria. The list would indicate the countries that had taken the regulatory action and name the agency of the UN system which could supply complete information on this subject.



Moreover, it would cite agency documentation already available to member states. Using this format, the Secretariat would not duplicate the scientific and technical expertise already present in the technical agencies. Member states concerned about the import, manufacture, or use of a listed product would be referred to the appropriate sources for information to assess the benefits and risks of that product.

Although the cosponsors of the draft resolution informally supported the U.S. proposal, they were not willing to delete their own language for the Secretariat to augment its expertise on the technical subjects involved in production of the list. Secretariat officials compounded the issue by contending that there were financial implications in the proposed resolution relating to the preparation of the list. An inquiry by the United States produced the information that the Secretariat, in producing just one list in one language, had spent in 1984 all of the money allocated in the 1984-85 budget for the production of two lists in multiple languages. Although the new proposed resolution did not call for the production of additional documents, the Secretariat felt it was necessary to appropriate more funds to cover the over-expenditures in 1984. The United States called this "a mockery of the UN budget system" and said it would need to oppose the draft resolution.

Announcement of the U.S. position led the cosponsors to withdraw some of the U.S.-proposed improvements in the resolution they had previously found acceptable. Sweden then introduced a revised text, "Protection against products harmful to health and the environment," which was ultimately adopted as resolution 39/229. The vote in the Second Committee was 127 to 1 (U.S.), with no abstentions. In the Fifth Committee, where the financial implications were reviewed, the draft resolution was approved by a vote of 91 to 4 (U.S.), with 2 abstentions. In plenary, the resolution was adopted by a vote of 147 to 1 (U.S.), with no abstentions.

Speaking in Committee on December 10 in explanation of his vote, the U.S. Representative, Dennis Goodman, pointed out that the U.S. Government has a long and active history in providing full and complete information on its regulatory actions to the technical agencies of the UN system. He said the United States would continue to supply WHO, UNEP, and other appropriate agencies, as well as all UN member governments, with information on these decisions, and he expressed the hope that other nations would do the same.

In response to subsequent published complaints that the U.S. vote against resolution 39/229 appeared callous in view of the chemical tragedy in Bhopal, India, which occurred just prior to the UN vote, U.S. officials pointed out that the key ingredient in that disaster (methyl isocyanate) was not included on the published UN list, nor was information on it available through IRPTC; they said that the UN

list was not relevant to the disaster in Bhopal, nor would it have prevented that disaster.

In related action on this issue, UNEP convened the first meeting of an *ad hoc* working group of experts for the exchange of information on trade and management of potentially harmful chemicals, in particular, pesticides. The group met in Noordwijkerhout, Netherlands, on March 26–30, 1984. The experts reviewed a draft set of guidelines for the exchange of information on these subjects. As an element of the draft guidelines, the group developed a proposal for an information exchange arrangement, "The Provisional Notification Scheme for Banned or Severely Restricted Chemicals." This proposed Scheme was adopted by the UNEP Governing Council at its 12th session in May 1984. Experience with the Provisional Scheme was to be accumulated by participating countries over several years for use in connection with a future review of the Scheme. With respect to the other guidelines, the experts agreed to meet again in January 1985 to discuss further elaboration of the draft guidelines.

## HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The principal human rights organ of the United Nations, the Commission on Human Rights,<sup>18</sup> held its 40th annual session February 6–March 16, 1984 in Geneva. The U.S. Delegation was led by Richard Schifter, the U.S. Representative to the Commission. ECOSOC subsequently considered the Commission's report at its spring session in New York May 1–25, 1984. At the General Assembly's 39th session, the Third Committee considered a lengthy agenda of human rights issues. The Commission's expert Sub-commission on Prevention of Discrimination and Protection of Minorities held its 37th regular session August 6–31, 1984 in Geneva.

### Elimination of All Forms of Religious Intolerance

The Commission on Human Rights at its 40th session devoted two meetings to its consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The United States, together with a number of other delegations, joined in cosponsoring a

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<sup>18</sup> Argentina, Bangladesh, Brazil, Bulgaria, Cameroon, Canada, China, Colombia, Costa Rica, Cuba, Cyprus, Finland, France, Gambia, German Democratic Republic, Federal Republic of Germany, India, Ireland, Italy, Japan, Jordan, Kenya, Libya, Mauritania, Mexico, Mozambique, Netherlands, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Spain, Syria, Tanzania, Togo, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, and Zimbabwe.

resolution of which the Irish Delegation was the principal drafter. The resolution drew attention to the seminar on religious tolerance, which was to be held in the period 1984-85, and proposed that ECOSOC authorize the Subcommittee on Discrimination and Minorities to entrust one of its members, Mrs. Odio Benito, with the preparation of a Study on the Current Dimensions of the Problems of Intolerance and of Discrimination on Grounds of Religion or Belief. The Special Rapporteur was requested to submit her study to the Subcommittee at its 1984 session. The draft resolution was approved by the Commission without a vote. (Resolution 1984/57.)

The resolution recommended by the Commission was subsequently adopted by ECOSOC without a vote.

The agenda of the 39th General Assembly included a separate item on the "Elimination of all forms of religious intolerance." During the debate on this agenda item, Ambassador Richard Schifter, the U.S. Representative, delivered a statement in which he described two examples of very serious violations of Article 18 of the Universal Declaration of Human Rights (guaranteeing freedom of thought, conscience, and religion) and of the declaration against religious intolerance. The first example described by Ambassador Schifter was the body of law and regulations in effect today in the Soviet Union. Ambassador Schifter noted that this body of law and regulations placed

extraordinarily restrictive limitations on the exercise of religion in that country, authorizing such exercise only within a very narrow framework and outlawing all religious activities which take place outside it. This system of state control of religion was anchored in law 55 years ago, during the heyday of the Soviet campaign against all forms of religion. No effort has been made in the intervening period to bring this set of laws into conformity with either the 1948 Declaration or the 1981 Declaration.

The second example described by Ambassador Schifter was the persecution of the Baha'is in Iran. He referred to reports of executions recently received from Iran as well as of torture inflicted on the approximately 750 Baha'is imprisoned in Iran. The United States again joined in cosponsoring a draft resolution on the elimination of all forms of religious intolerance. In its principal operative paragraphs the draft resolution requested the Commission on Human Rights to continue its consideration of measures to implement the declaration on religious intolerance and invited the Secretary General to continue to give high priority to the dissemination of the text of the declaration. Finally, the Secretary General was requested to submit the report on the seminar on religious intolerance to the 41st session of the Human Rights Commission as well as to the 40th General Assembly. The



draft resolution was adopted in the Third Committee and in plenary without a vote. (Resolution 39/131.)

A Seminar on the Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief, organized by the UN Center for Human Rights within the framework of the UN Advisory Services Program, was held in Geneva December 3-14, 1984. Expert participants from 24 countries attended the seminar. James Finn of Freedom House in New York represented the United States. The seminar adopted a set of conclusions and recommendations which stressed the importance of freedom of thought, conscience, religion, or belief as a fundamental right to be guaranteed to all without discrimination and proposed a number of measures designed to strengthen observance of this fundamental right.

## **Human Rights in the Occupied Territories of the Middle East**

A debate, led by Arab delegations, concerning alleged violations of human rights in the occupied Middle East territories has taken place in the Human Rights Commission annually since 1968. The ritual was repeated at the 40th session and ended by the adoption of three resolutions, which were much along the lines of those adopted at previous sessions. A two-part resolution introduced by Bangladesh in Part A contained a number of paragraphs condemning a series of unsubstantiated Israeli policies and practices alleged to have taken place in the occupied territories. One operative paragraph of particular concern to the United States requested the General Assembly to recommend to the Security Council the adoption against Israel of measures referred to in Chapter VII of the United Nations Charter. A separate vote was taken on this paragraph, which was adopted by a vote of 23 to 13 (U.S.), with 6 abstentions. Part A as a whole was then adopted by a vote of 29 to 1 (U.S.), with 11 abstentions. (HR resolution 1984/1A.)

Part B of the resolution dealt with the application of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to the occupied territories. One operative paragraph of this resolution, in addition to calling upon Israel to abide by the obligations under this Convention, requested that Israel release all detained or imprisoned Arabs and demanded "that Israel cease forthwith all acts of torture and ill-treatment of Arab detainees and prisoners." This paragraph in particular was deemed objectionable by the United States. Part B was adopted by a vote of 32 to 1 (U.S.), with 8 abstentions. (HR resolution 1984/1B.)

Another draft resolution, introduced by Cuba, in its operative paragraphs dealt with the occupation of the Syrian Golan Heights and

called upon Israel to rescind certain measures taken in that area. Operative paragraph 4 of this resolution strongly deplored the negative vote and pro-Israeli position "of a Permanent Member of the Security Council . . ." This paragraph was put to a separate vote and adopted by a vote of 22 to 13 (U.S.), with 6 abstentions. The resolution as a whole was then adopted by a vote of 30 to 1 (U.S.), with 11 abstentions. (HR resolution 1984/2.)

Also under this same agenda item the Commission acted upon a draft resolution which had been referred to it by its Subcommission on Prevention of Discrimination and Protection of Minorities. The provisions of this resolution essentially repeated in its four operative paragraphs provisions already contained in the two other resolutions which the Commission had adopted under this item. The resolution was approved by a vote of 30 to 1 (U.S.), with 11 abstentions. (HR resolution 1984/3.) A brief statement was made by Ambassador Schifter before the vote. In his statement, he referred to the fact that the Middle East region abounds with well-established and well-documented violations of basic human rights, violations which the Human Rights Commission had never placed upon its agenda. He deplored the fact that the Commission was once again engaging in a debate on resolutions which, instead of contributing to a solution of the problem, exacerbated existing difficulties. He urged that the Commission should instead use its good offices to encourage the commencement of negotiations for a peace agreement, without stipulating preconditions which constitute insurmountable obstacles to the achievement of that objective.

At the 39th General Assembly, the same issues were once again discussed in the Special Political Committee under the agenda item "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Occupied Territories." For a summary of the developments under this agenda item, see page 18.

## **Racial Discrimination in Southern Africa**

The subject of racial discrimination, with the focus on apartheid in South Africa, continued in 1984 to occupy a primary place in the agendas of the United Nations human rights organs. At its 40th session, the Commission on Human Rights adopted six resolutions under a cluster of agenda items which dealt with various aspects of racial discrimination and apartheid. A major statement was delivered by Ambassador Alan L. Keyes, U.S. Representative to the Economic and Social Council. In his statement, Ambassador Keyes expressed the opposition and abhorrence of the Government and people of the United States to apartheid. He stated the issue as being not between those who oppose apartheid and those who do not, but rather one of

how best to encourage practical movement away from the apartheid system, "a system we all strongly believe to be illegitimate, oppressive and unjust." Ambassador Keyes explained that the United States believed that a strategy of isolating South Africa would only contribute to making violence more likely, widespread, and destructive. He noted that actual and potential forces for change exist in South Africa across the whole range of economic, social, and political realities. "In the final analysis," he said, "we all realize that the most difficult aspect of the South African dilemma is neither economic nor moral. It lies in the critical question of whether South African whites can choose, by peaceful means, to accord the black majority the political rights that their humanity requires." He observed that South African whites know full well the concept of political justice, for they apply it to themselves. He expressed confidence that "as their sympathy with the humanity of their black compatriots is aroused and strengthened, so shall their conscience be aroused to urge them on to right. Already movement is underway which, however little it may seem and be upon the surface, betokens mighty forces at work in the hidden world within their human breast."

The principal resolution, which dealt with the report of the Commission's *Ad Hoc* Working Group of Experts on Southern Africa, was introduced by Zimbabwe on behalf of a number of other African and Asian cosponsors. It contained a detailed list of human rights violations said to be taking place in South Africa. In this list, the United States found unacceptable exaggerated statements concerning the alleged ill-treatment of captured freedom fighters and other detainees, as well as statements deemed to be factually inaccurate concerning certain actions against neighboring states attributed to the Government of South Africa. The United States also objected to the statement that the "so-called reforms" to the South African constitution are "unacceptable." The draft resolution was adopted by a vote of 42 to 0, with 1 (U.S.) abstention. (HR resolution 1984/5.)

Another draft resolution introduced by Zimbabwe concerned the situation in Namibia. This resolution was adopted by a vote of 39 to 0, with 4 (U.S.) abstentions. The U.S. abstention joined that of other members of the Western Contact Group, all of whom abstained because of their involvement in the negotiations on Namibian independence. (HR resolution 1984/4.)

A resolution concerning adverse consequences for the enjoyment of human rights of various forms of assistance to colonial and racist regimes in southern Africa was approved by a vote of 31 to 7 (U.S.), with 5 abstentions. (HR resolution 1984/6.) The U.S. negative vote reflected its rejection of the premise upon which this resolution and others adopted in previous years have been based, that all forms of assistance to South Africa inevitably imported adverse consequences



for the enjoyment of human rights. The United States rejects calls such as those contained in the resolution for a cessation of all forms of assistance to South Africa.

A resolution concerning the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid was approved by a vote of 32 to 1 (U.S.), with 10 abstentions. In this case, the U.S. negative vote reflected our long-standing objection to the convention in question. (HR resolution 1984/7.) These objections were recorded in detail when the Convention was approved by the General Assembly at its 28th session in 1973.

A resolution proposed by states of the African group on implementation of the Program of Action for the Second Decade to Combat Racism and Racial Discrimination was approved without a vote, with the United States not participating in the vote. Our nonparticipation reflected the fact that the resolution was based upon the results of the Second World Conference to Combat Racism and Racial Discrimination. This was an event of the First Decade Against Racism, in which the United States ceased participation after the adoption by the General Assembly in 1975 of resolution 3379 (XXX), equating Zionism with racism. (HR resolution 1984/8.)

Finally, the Commission approved without a vote (the United States not participating) a draft resolution which had been recommended by the Subcommission on Prevention of Discrimination and Protection of Minorities. (HR resolution 1984/9.) This draft resolution proposed that ECOSOC authorize the Subcommission to entrust one of its members with carrying out a study on the results of the original Decade for Action to Combat Racism and Racial Discrimination.

At the first regular session of ECOSOC in 1984, one of the principal agenda items relating to racial discrimination concerned the Second Decade to Combat Racism and Racial Discrimination. A report was submitted by the Secretary General, in accordance with a General Assembly resolution adopted at the previous Assembly session. The report constituted a draft plan of activities for the period 1985-89, the first half of the Second Decade to Combat Racism and Racial Discrimination. A draft resolution relating to this report, and which contained an operative paragraph calling for a revision of the plan of activities, was submitted by Zambia. The call for a revised plan was opposed by most Western delegations since the Secretary General's plan had been designed to reflect a consensus approach which had characterized the planning for the Second Decade at the previous General Assembly. Since the draft resolution constituted the first occasion on which a UN body was to take action on a specific program for the Second Decade, the U.S. Representative announced that the United States would continue its policy of non-participation

in the Second Decade as it had in the First. He explained that the program of action for the Second Decade was essentially a continuation and expansion of the program of action for the First Decade, that the Second Decade continued to employ the same terminology, and that General Assembly Resolution 3379 (XXX) was still operative. The unacceptable equation of Zionism-racism apparently applied as much to the Second as it did to the First Decade. The United States thus would not participate in the vote on the draft resolution proposed by the delegation of Zambia, which was adopted by a vote of 43 to 5, with 2 abstentions. (Resolution 1984/43.)

ECOSOC also adopted without a vote the draft resolution proposed by the Commission calling for a study of the results of the First Decade. (Resolution 1984/24.) A decision confirming the continued mandate of the Special Rapporteur of the Subcommission, Ahmed Khalifa, to prepare reports on the adverse consequences of assistance to colonial and racist regimes in South Africa was approved by a vote of 39 to 7 (U.S.), with 7 abstentions. (Decision 1984/130.)

At the 39th General Assembly the subject of racial discrimination was again a principal item for discussion and action. A major statement was made by Ambassador Keyes in the Third Committee on October 22. He discussed the concepts of "racism," "racist," and racial stereotypes which seemed to underlie the statements and positions taken by some delegations on the question of apartheid in South Africa. He referred to the views and attitudes of black South African workers toward foreign investment and life in South Africa in general, as revealed in a study commissioned by the United States Government, and he discussed measures taken by the United States to strengthen sources of change in South Africa and to reinforce their consequences and effects. While describing the positive results flowing from observance of the Sullivan Principles by American corporations in South Africa, Ambassador Keyes rejected the premise underlying the report presented by Special Rapporteur, Ahmed Khalifa, listing foreign companies doing business in South Africa and therefore "assisting" the so-called racist regime. Ambassador Keyes concluded with the following summary statement of the rationale for U.S. policy toward apartheid in South Africa:

The United States Delegation believes that in the struggle against injustice in South Africa, violence is the way to self-destruction, and rhetoric is not enough. We will continue to seek ways to effectively support the people of South Africa in their daily struggle for justice, in their efforts to change their present situation without destroying the future that their children and grandchildren must one day inherit, in the full enjoyment of their freedom and human dignity. We will continue to seek and to respond to the diversity of the South African community, to look for every avenue of hope, to encourage every instrument of peaceful change, to seek to turn all the most dynamic forces and resources of an emerging modern society against the archaic and primitive mentality that sustains the apartheid system. We will

continue to encourage broad involvement with the people of South Africa, involvement that gives concrete help to the quiet daily heroism of ordinary people. These are the people whose ability to work, to learn, to organize and finally to lead are the unglamorous, neglected but ultimately most effective force in the pursuit of victory over injustice.

Another in the series of General Assembly and Human Rights Commission resolutions on the "adverse consequences" of assistance to the racist and colonialist regimes of South Africa was approved by a vote of 120 to 10 (U.S.), with 14 abstentions. (Resolution 39/15.) In its principal operative paragraph, the resolution invited the Special Rapporteur, Ahmed Khalifa, to continue his activities in reporting on banks, transnational corporations, and other organizations said to be "assisting" the racist and colonialist regime of South Africa.

The United States did not participate in the vote on a resolution concerning the Second Decade to Combat Racism and Racial Discrimination which, *inter alia*, invited the Secretary General to proceed immediately with the implementation of the activities outlined in his report on the plan of activities for the period 1985-89. (Resolution 39/16.)

The United States voted against another resolution in the series on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid for the same reasons that it voted against a resolution of similar content earlier at the Commission on Human Rights. The vote was 121 to 1 (U.S.), with 23 abstentions. (Resolution 39/19.)

Resolution 39/20, a procedural resolution concerning the status of the International Convention on the Elimination of All Forms of Racial Discrimination, was approved without a vote.

Another resolution which in previous years had also been essentially procedural in character dealt with the report of the Committee on the Elimination of Racial Discrimination, the implementing organ established under the International Convention on the Elimination of All Forms of Racial Discrimination. The resolution considered at the 39th General Assembly, as proposed by the delegation of Yugoslavia, contained a number of novel provisions of a substantive nature, one of which strongly condemned the policy of apartheid in South Africa and Namibia as a crime against humanity. Because the United States has never accepted this characterization of apartheid, the United States was forced to vote against the resolution, which was adopted by a vote of 145 to 1 (U.S.), with no abstentions. (Resolution 39/21.)

## **Self-Determination**

Following the pattern of recent sessions, the 40th session of the Commission on Human Rights discussed the agenda item concerning



the right of peoples to self-determination through highlighting the issues of self-determination in Afghanistan, Kampuchea, Palestine, Western Sahara, and South Africa.

The issue of self-determination in Afghanistan was once again the subject of a draft resolution put forward by Pakistan and other cosponsors. The resolution, *inter alia*, reaffirmed the Commission's profound concern about the denial of the right of self-determination of the people of Afghanistan and called for a political settlement on the basis of the withdrawal of foreign troops and full respect for the independence, sovereignty, territorial integrity, and non-aligned status of Afghanistan. The resolution was adopted by a vote of 31 (U.S.) to 8, with 4 abstentions. (HR resolution 1984/10.)

A resolution concerning Palestinian self-determination was proposed by Yugoslavia and other cosponsors. Following the pattern of previous years, the resolution contained a number of operative paragraphs condemning Israeli occupation of Palestinian and other Arab territories. Other operative paragraphs rejected the plan of autonomy within the framework of the Camp David Accords and denounced strategic cooperation agreements between the United States and Israel. Another operative paragraph strongly condemned anew Israel's responsibility for the large-scale massacres in the Sabra and Shatila refugee camps, "which constituted an act of genocide." In a separate vote requested by the United States on the operative paragraph concerning the Sabra and Shatila massacres, this paragraph was approved by a vote of 25 to 9 (U.S.), with 9 abstentions. In another separate vote on the operative paragraph rejecting the Camp David Accords, this paragraph was approved by a vote of 20 to 11 (U.S.), with 12 abstentions. The operative paragraph denouncing strategic cooperation agreements between the United States and Israel was approved in a separate vote by a vote of 18 to 13 (U.S.), with 12 abstentions. The resolution as a whole was approved by a vote of 28 to 7 (U.S.), with 8 abstentions. (HR resolution 1984/11.)

The denial of the right to self-determination of the peoples of Kampuchea was the subject of a draft resolution proposed by the Philippines and other cosponsors. The resolution reiterated the Commission's condemnation of the persistent occurrence of gross and flagrant violations of human rights in Kampuchea; reaffirmed that the continuing occupation of Kampuchea by foreign forces deprived the people of Kampuchea of the exercise of the right to self-determination; and called for immediate and unconditional withdrawal of foreign forces from Kampuchea. This resolution was approved by a vote of 27 (U.S.) to 10, with 4 abstentions. (HR resolution 1984/12.)

The subject of Western Sahara was covered in a draft resolution which was proposed by the Commission Chairman. The resolution

"took note" of the resolution on Western Sahara adopted unanimously by the Heads of State and Government of the Organization of African Unity in June 1983 and repeated the text of that resolution. In its other operative paragraph the Commission decided to follow the development of the situation in Western Sahara and to consider the question again at its next session. This resolution was adopted without a vote. (HR resolution 1984/13.)

A resolution concerning self-determination in Namibia and South Africa was proposed by Tanzania on behalf of a number of cosponsors. Among its many operative paragraphs were extreme, intemperate provisions condemning the policies of Western and other countries in South Africa and condemning various forms of collaboration with the government of that country. The resolution was approved by a vote of 31 to 5 (U.S.), with 7 abstentions. (HR resolution 1984/14.)

In addition to the resolutions summarized above which essentially repeated resolutions concerning countries of concern to the Commission at recent previous sessions, Nicaragua raised the question of Grenada by proposing a draft resolution deeply deploring the armed intervention in Grenada which, it was alleged, constituted a flagrant violation of international law and of the independence, sovereignty, and territorial integrity of that state. Other operative paragraphs of the Nicaraguan draft would have expressed deepest concern with regard to the violations of human rights engendered by the occupation of Grenada by foreign troops, and called for the continued consideration of the situation in Grenada at the next Commission session.

Another resolution on the subject of Grenada was proposed by the United States. This draft resolution, in its two operative paragraphs, would have called upon all states to show the strictest respect for the sovereignty, independence, and territorial integrity of Grenada, and would have reaffirmed the right of the people of Grenada to decide its own future, looking forward to the holding of free elections in 1984. After intensive negotiations, which were carried out privately among various delegations, especially those from the Latin American region, an arrangement was worked out whereby the Nicaraguan and U.S. resolutions were withdrawn and a substitute resolution was proposed by the Commission Chairman. This resolution, which was adopted without a vote, contained four operative paragraphs which (a) reaffirmed the right of the people of Grenada to the full exercise of their human rights; (b) called upon all states to show the strictest respect for the sovereignty, independence, and territorial integrity of Grenada; (c) reaffirmed the inalienable right of the people of Grenada to decide their own future and the obligations of all states not to interfere or intervene in the internal affairs of Grenada; and (d) reaffirmed the right of the people of Grenada to hold free elections in

order to choose its government democratically, without external interference or pressure. (Resolution 1984/25.)

At the first regular session of ECOSOC, 1984, the subject of self-determination in Kampuchea was raised by the ASEAN group of states. These states proposed a decision by which the Council endorsed resolution 1984/12 adopted earlier by the Commission on Human Rights. Under this decision it was also proposed that the Council reaffirm earlier decisions taken on self-determination in Kampuchea containing calls for the withdrawal of all foreign forces from Kampuchea in order to allow the people of Kampuchea to exercise their fundamental freedoms and human rights, including the right to self-determination. This decision was approved by ECOSOC by a vote of 40 (U.S.) to 6, with 6 abstentions. (Decision 1984/148.)

At the 39th session of the General Assembly, the subject of the right of peoples to self-determination was once again discussed, and two resolutions were adopted. One resolution was proposed by Ethiopia on behalf of the African group of states. This resolution was remarkable for its length, containing 24 preambular paragraphs and 34 operative paragraphs. The resolution focused upon the various problems involving Palestine and Africa, with emphasis upon Namibia and South Africa. Included among the operative paragraphs were provisions strongly condemning governments which failed to recognize the right to self-determination and independence of the peoples of Africa and Palestine; denounced the collusion between Israel and South Africa; and condemned the policies of those Western countries and Israel which persist in maintaining various forms of relations with South Africa. Another operative paragraph called for sanctions against South Africa and strongly condemned the expansionist activities of Israel in the Middle East and the constant and deliberate violations of the fundamental rights of the Palestinian people. This resolution was approved by a vote of 121 to 17 (U.S.), with 7 abstentions. (Resolution 39/17.)

Another resolution on self-determination was proposed by the Delegation of Pakistan on behalf of a number of cosponsors. This resolution, following the pattern of similar resolutions at previous General Assembly sessions, contained operative paragraphs reaffirming the importance of the right to self-determination and declaring firm opposition to acts of foreign military intervention, aggression, and occupation. All responsible states were called upon to cease immediately their military intervention and occupation of foreign territories. The plight of the millions of refugees and displaced persons was deplored, and the Commission on Human Rights was requested to continue to give special attention to violations of the right to self-determination. This resolution was approved without a vote. (Resolution 39/18.)



## Economic, Social, and Cultural Rights

An item which automatically reappears on the agenda of each session of the Commission on Human Rights is one which deals with the realization in all countries of the economic, social, and cultural rights contained in the Universal Declaration of Human Rights. The item contains three sub-items relating to (a) the right to development; (b) the effects of the existing unjust international economic order; and (c) the right of popular participation. Discussion at the 40th session of the Commission on Human Rights focused on the so-called rights to development and of popular participation.

A draft resolution concerning popular participation was put forward by Yugoslavia. The draft resolution was limited to procedure and dealt with a preliminary report on the subject which had been prepared by the Secretary General. The resolution's principal operative paragraph called for the preparation of a final study by the Secretary General, as had previously been endorsed by ECOSOC. The U.S. Representative expressed concern at the extravagant expenditure of funds which had been devoted to the preparation of the preliminary report and proposed an amendment providing that the final study be prepared within existing resource levels. This amendment failed by a vote of 11 (U.S.) to 11, with 20 abstentions. The United States therefore felt called upon to vote against the Yugoslav resolution, which was adopted by a vote of 41 to 1 (U.S.), with no abstentions. (Resolution 1984/15.)

A resolution focusing upon the right to development was presented by Senegal on behalf of numerous cosponsors. The content of the resolution was essentially the same as that adopted at the previous Commission session, containing references to the existence of a right to development and to the establishment of a new international economic order, which rendered the text unacceptable to the United States. The draft resolution commended the report of the Working Group of Governmental Experts on the Right to Development, which had met twice in 1983, and continued the Working Group's mandate with the request that the group hold two sessions in 1984. The Working Group was requested to submit to the Commission at its following session a report and concrete proposals for a draft Declaration on the Right to Development. The draft resolution was adopted by a vote of 39 to 0, with 4 (U.S.) abstentions. (HR resolution 1984/16.)

Finally, under this same agenda item, the Commission approved a draft resolution which had been proposed to it by its Subcommittee on Prevention of Discrimination and Protection of Minorities. This draft resolution recommended the publication and wide distribution of a study which had been prepared under the auspices of the Subcommittee on the new international economic order and the

promotion of human rights. Since the U.S. Delegation found a number of aspects of this study objectionable, the United States called for a vote on the draft resolution and voted against. The vote was 39 to 1 (U.S.), with 3 abstentions. (HR resolution 1984/17.)

At the first regular session of ECOSOC, 1984, decisions endorsing Commission action on the three resolutions were approved. By a vote of 51 to 1 (U.S.), with no abstentions, the Commission's resolution on popular participation was endorsed. (Decision 1984/131.) By a vote of 52 to 0, with 1 (U.S.) abstention, ECOSOC endorsed the Commission's decision to convene the Working Group of Governmental Experts on the Right to Development. (Decision 1984/132.) With respect to the publication of the study on the new international economic order, this was endorsed by ECOSOC by a vote of 49 to 1 (U.S.), with 3 abstentions. (Decision 1984/133.)

At the 39th General Assembly, while there was no separate item on economic, social, and cultural rights, the subject of economic rights, with emphasis on the right to development, was covered in a draft resolution which was put forward under the agenda item entitled, "Alternative Approaches and Ways and Means Within the United Nations System for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms." A resolution proposed by Cuba took note of the work of the Commission on Human Rights with respect to the preparation of a Declaration on the Right to Development. The Cuban draft repeated assertions already contained in previous resolutions, and unacceptable for the United States, that the right to development is an inalienable human right, as well as assertions that contained the implication that the establishment of the so-called new international economic order is a prerequisite to the realization of all human rights and fundamental freedoms. The U.S. Representative explained that these provisions of the Cuban draft resolution appeared inconsistent with the mandate of the Commission's Working Group, which was attempting to give content to the meaning of the right to development, a right which the Cuban draft proclaimed to be already established. The Cuban draft resolution was approved by a vote of 131 to 2 (U.S.), with 12 abstentions. (Resolution 39/145.)

As called for in Commission resolution 1984/16, the Commission's 15-member Working Group of Governmental Experts on the Right to Development<sup>19</sup> held two sessions in 1984. The Working Group's eighth session met in Geneva September 14–October 5, 1984, and the ninth session was held in Geneva December 3–14, 1984. The two sessions were marked by a notable breakdown in the spirit of cooperation and

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<sup>19</sup>The Working Group is composed of governmental experts from Algeria, Cuba, Ethiopia, France, India, Iraq, Netherlands, Panama, Peru, Poland, Senegal, Syria, U.S.S.R., United States, and Yugoslavia.

compromise which had characterized earlier sessions. The adamant positions taken, particularly by the experts from Cuba and the U.S.S.R., undermined a genuine search for consensus. Thus, the Working Group could report little, if any, real progress as a result of the work done at its two sessions in 1984.

## **Human Rights of Persons Subjected to Detention or Imprisonment**

A current area of serious human rights concern which continues to occupy the Commission on Human Rights is that relating to the treatment of persons subjected to any form of detention or imprisonment. The agenda item covering this issue contains two sub-items, *viz.*, torture and enforced or involuntary disappearances. Under the general heading of persons under detention, the Commission considered a draft decision proposed by Canada. The Canadian proposal took note of the fact that the Subcommission on Prevention of Discrimination and Protection of Minorities intended to submit to the Commission at its next session a special report on situations known as states of siege or emergency, and proposed that the Commission decide to examine this report as a matter of priority. The Canadian proposal was adopted without a vote. (Decision 1984/104.)

Mauritania introduced a draft resolution which focused upon the situation of Palestinian, Lebanese, and other detainees held by Israel "as the result of its invasion of Lebanon and continued occupation of Lebanese territories." In its principal operative paragraphs the draft resolution urged Israel to release immediately all civilians arbitrarily detained since the beginning of the war as well as civilians which Israel rearrested and detained again, thereby violating the agreement on the exchange of prisoners concluded with the ICRC in November 1983. Israel was also urged to ensure protection in accordance with relevant conventions. This draft resolution was approved 41 to 1 (U.S.), with 1 abstention. (Resolution 1984/20.)

The Commission also approved without a vote a draft resolution which had been introduced by Canada which appealed to all states to ensure respect and support for the rights of all persons who exercise the right to freedom of opinion and expression and to release immediately anyone detained solely for exercising the right to freedom of expression. (HR resolution 1984/26.)

Also under the same general agenda item the Commission considered a draft resolution which had been proposed by the Subcommission on Prevention of Discrimination and Protection of Minorities which dealt with the application of the state of siege in Paraguay. The draft resolution invited the Government of Paraguay



to consider ending the state of siege in order to encourage promotion of and respect for human rights in the country. After rejecting Bulgarian amendments which were proposed to the operative paragraph of this resolution, the Commission approved it by a vote of 36 (U.S.) to 1, with 5 abstentions. (HR resolution 1984/46.)

## **Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Under this sub-item, the Commission took one of the most noteworthy decisions in its history by approving and forwarding to the General Assembly for action the draft Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. The Commission acted on the basis of a draft resolution proposed by Finland. The resolution marked the completion of the work carried out by the Commission's working group for the past 7 years by transmitting to the General Assembly, through ECOSOC, the report of the working group as well as the summary records of the Commission's debate on the item during its 40th session. The Secretary General was requested to bring the relevant documents to the attention of member governments and to invite their comments on the draft convention contained in the annex to the working group's report. Finally, the Commission recommended that the General Assembly consider the draft convention as a matter of priority, with a view to its early adoption.

The draft convention contained in the report of the Commission's working group carried the unanimous endorsement of the Commission on all of its articles, with the exception of two which dealt with the powers of the organ which would be set up under the convention to monitor compliance with it. Eastern European members of the Commission were unable to agree to these provisions. The draft resolution was approved without a vote. (HR resolution 1984/21.)

As a companion piece to this resolution, the Commission also approved without a vote another draft resolution introduced by Finland, which called upon governments, organs, and individuals in a position to do so to respond favorably to requests for contributions to the UN Voluntary Fund for Victims of Torture. (HR resolution 1984/22.)

## **Enforced or Involuntary Disappearances**

At its 40th session, the Commission received from its Working Group on Enforced or Involuntary Disappearances another report which was introduced to the Commission by the Chairman/Rapporteur of the Working Group, Viscount Colville of Culross.

France introduced a draft resolution providing that the Commission decide to extend for 1 year the Working Group's mandate, as laid down in a resolution of the Commission adopted at its 36th session in 1980. The Working Group was requested to submit to the next Commission session a report on its work of examining questions relevant to enforced or involuntary disappearances of persons. The Working Group was also requested to present to the Commission, pursuant to its efforts to help eliminate the practice of enforced or involuntary disappearances, all appropriate information it deemed necessary, and all current suggestions and recommendations regarding the fulfillment of its task. The draft resolution was approved without a vote. (HR resolution 1984/23.) The Commission subsequently received the resignation of Viscount Colville and adopted decision 1984/105, in which it expressed its appreciation for the manner in which he had carried out his task.

At the first regular session of ECOSOC, 1984, ECOSOC decided without a vote to transmit to the General Assembly the draft convention against torture. (Decision 1984/134.) In decision 1984/135, also adopted without a vote, ECOSOC approved the Commission's decision to extend the mandate for 1 year of its Working Group on Enforced or Involuntary Disappearances.

At the 39th General Assembly Western delegations, led by the Netherlands and Sweden, conducted lengthy private negotiations in order to build up sentiment in favor of approving the draft torture convention at that session. The private negotiations focused upon a Netherlands draft resolution providing for approval of the draft convention as submitted by the Commission on Human Rights, together with amendments put forward by the U.S.S.R., Byelorussia, and the Ukraine providing for changes in certain articles of the draft convention. The differences of view were ultimately resolved when the Netherlands proposed certain minor changes in the articles relating to the powers of the monitoring organ to be established under the convention. More significantly, the Netherlands also accepted a Byelorussian proposal that a new article be added to the draft convention which would provide that states ratifying or acceding to the convention might refuse to recognize the full extent of the competence of the monitoring organ as laid down in one of the convention articles. With these changes the draft resolution proposed by the Netherlands was approved without a vote in the Third Committee and subsequently in the plenary Assembly. (Resolution 39/46.) In a statement made by Ambassador Schifter expressing strong support for approval of the draft convention, he pointed out that the goals and objectives of the draft convention were supported by the United States in a joint resolution which had been signed by President Reagan on October 4, 1984 (Public Law 98-447). The

Assembly also approved without a vote a resolution proposed by Sweden and cosponsored by the United States, which once again called for contributions to the UN Voluntary Fund for Victims of Torture. (Resolution 39/113.)

With respect to the question of enforced or involuntary disappearances, the Assembly approved without a vote a resolution proposed by France welcoming the decision of the Commission on Human Rights to extend for 1 year the mandate of its working group and appealing to governments to provide the working group their full cooperation. (Resolution 39/111.)

## **Drafting of International Human Rights Instruments**

A major effort of drafting a convention against torture was successfully concluded in 1984. Work proceeded at its customary slow pace upon four other international human rights instruments. The Commission on Human Rights decided to begin work on a fifth.

### **RIGHTS OF THE CHILD**

The Working Group on a draft Convention on the Rights of the Child of the Commission on Human Rights held 11 meetings from January 30–February 3, 1984. The Working Group adopted four articles of the draft convention and received proposals for a number of additional articles. At its 40th session, the Commission adopted, without a vote, a procedural draft resolution deciding to continue at its 41st session, as a matter of the highest priority, work on the elaboration of the Convention on the Rights of the Child, with a view to completing the draft at that session. ECOSOC was requested to authorize a week's session of the Working Group prior to the 41st Human Rights Commission session. (HR resolution 1984/24.) ECOSOC subsequently endorsed this request without a vote. (Resolution 1984/25.)

The 39th General Assembly also adopted without a vote a procedural resolution requesting the Commission to make every effort at its 41st session to complete the draft convention. (Resolution 39/135.)

### **HUMAN RIGHTS OF MIGRANT WORKERS**

The subject of the human rights of migrant workers was briefly considered at one meeting by the 40th Human Rights Commission session on the basis of the report of the General Assembly's Working Group on the drafting of an International Convention on the Protection of the Rights of Migrant Workers and Their Families. The Commission adopted, without a vote, a draft resolution proposed by



Mexico, which expressed the hope for early completion of work on the draft convention. (HR resolution 1984/61.) In a related matter, the Commission approved a proposal received from its Subcommission that a report by one of the Subcommission's expert members on the exploitation of labor through illicit and clandestine trafficking should be printed and transmitted to governments for comments and observations. The resolution was adopted by a vote of 42 to 1 (U.S.), with 0 abstentions, the U.S. negative vote being based on objections to the financial implications. (HR resolution 1984/38.)

The focus of the work on the human rights of migrant workers continued to be upon the General Assembly's open-ended Working Group. Two sessions of the Working Group were held in 1984 during the period May 29–June 8 and during the 39th General Assembly session from September 26–October 5. During the two sessions the Working Group concluded its first reading of the final articles, of articles concerning the application of the convention, the key article on definitions, articles relating to documented (lawful status) workers, project-tied workers, and provisions applicable to particular categories of migrant workers. After receiving the report of its Working Group, the Assembly approved without a vote resolution 39/102. The resolution called for two further meetings of the Working Group in 1985, one to be held during the 40th session of the General Assembly.

## **RIGHTS OF MINORITIES**

At its 40th session, the Commission's open-ended Working Group considering the drafting of a Declaration on the Rights of Persons Belonging to Racial, Ethnic, and Linguistic Minorities continued its work during four meetings. Having reached preliminary agreement at previous sessions on the preamble, the Working Group discussed the first substantive article concerning the right to existence of minorities. The Commission approved without a vote a draft resolution proposed by Yugoslavia, deciding that the drafting exercise should be continued at its 41st session. It also requested, on the recommendation of its Working Group, to request its Subcommission on Prevention of Discrimination and Protection of Minorities to prepare a text defining the term "minority." (HR resolution 1984/62.)

## **HUMAN RIGHTS OF NON-CITIZENS**

At the 39th General Assembly a Working Group, which has been meeting annually since 1980 to elaborate a draft Declaration on the Human Rights of Individuals Who Are Not Citizens of the Country in Which They Live, held its fifth session. It completed a second reading of four articles, although the Working Group has yet to discuss in

detail the key definitions article. The Assembly adopted without a vote a resolution, by which it decided to establish again at its 40th session the open-ended Working Group, and it expressed the hope that the draft declaration on the human rights of non-citizens would be adopted by the General Assembly at its 40th session. (Resolution 39/103.)

## **HUMAN RIGHTS DEFENDERS**

At its 40th session, the Commission received from its Subcommittee on Prevention of Discrimination and Protection of Minorities a draft resolution dealing with a project currently underway in the Subcommittee. In 1982 the Subcommittee, acting upon a request of the Human Rights Commission, requested one of its expert members to prepare draft Principles on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. The draft resolution, which was approved without a vote by the Commission, requested the Special Rapporteur to continue her work on the draft principles and requested the Secretary General to transmit a questionnaire prepared by the Special Rapporteur to governments and named organizations. (Resolution 1984/56.) This resolution was subsequently endorsed by ECOSOC without a vote. (Resolution 1984/38.) In connection with the same subject, Canada proposed a draft decision according to which the Commission on Human Rights would decide to establish an open-ended Working Group at its 41st session. The group would have the mandate of drafting a declaration on the right and responsibility of individuals, groups, and organs of society to promote and protect universally recognized human rights and fundamental freedoms. The proposed decision was adopted without a vote. (HR decision 1984/116.)

## **Science and Technology**

The subject of science and technology and human rights occupied an unusual amount of time of the Human Rights Commission at its 40th session. The focus of this subject, which originally grew out of the human rights implications of modern advances in science and technology, has been gradually shifting, through proposals made by Eastern European countries, to a more propagandistic tone, highlighting the fields of disarmament and peace. At the 40th session, the United States expressed its strong objections to this shift as constituting a misuse of the Commission's limited time. The Commission adopted five resolutions and one decision. The first, proposed by Japan and Yugoslavia, was procedural in nature and sought to

address the need for better defining the Commission's work program under this item. The resolution invited all member states and relevant international organizations to submit to the Secretary General their views on the most effective ways and means for using the results of scientific and technological developments for the promotion of human rights. The Secretary General was requested to submit an updated report to the 42nd Human Rights Commission, taking into account the comments received. This resolution was adopted without a vote. (Resolution 1984/27.)

A resolution proposed by the U.S.S.R. and a group of predominantly Eastern European cosponsors emphasized the theme of the arms race and the need for general and complete disarmament, based upon reaffirmation of the inherent right to life of all peoples and all individuals. In its operative paragraphs, it proposed various measures which states might take to strengthen peace and remove the growing threat of war. Because the subject matter of this resolution was more proper for debate in disarmament fora, the U.S. Representative proposed that no action be taken upon it. His motion was rejected by a vote of 14 (U.S.) to 17, with 12 abstentions. The Soviet draft resolution was then adopted by a vote of 28 to 8 (U.S.), with 7 abstentions. (HR resolution 1984/28.)

A third draft resolution was proposed by Byelorussia S.S.R., which carried forward the longstanding interest of that delegation in promoting the Declaration on the Use of Scientific and Technological Progress in the Interest of Peace and for the Benefit of Mankind, which was adopted by the General Assembly in 1975. Its principal operative paragraph repeated a request made in a previous resolution, that the Subcommission on Prevention of Discrimination and Protection of Minorities undertake a study on the use of the achievements of scientific and technological progress to ensure the right to work and development. The draft resolution was adopted by a vote of 33 to 0, with 10 (U.S.) abstentions. (HR resolution 1984/29.)

A resolution proposed by India referred to certain recommendations which had been made by a group of eminent international experts which met in 1975, as contained in a report made by the Secretary General. The expert recommendations grew out of a discussion of the balance which should be established between scientific and technological progress and the intellectual, spiritual, cultural, and moral advancement of the community. In its main operative paragraph, the resolution proposed that the Commission decide to consider the implications of the experts' recommendations at its 42nd session. This resolution was adopted without a vote. (HR resolution 1984/30.)

Finally, the Commission considered a draft resolution proposed by its Subcommission concerning the just-completed study by its Special



Rapporteur, Erica-Irene A. Daes, concerning the protection of persons detained on grounds of mental ill-health or suffering from mental disorder. The resolution dealt with the followup work to Mrs. Daes' study by requesting the Subcommission to establish a sessional working group to give further examination, as a matter of high priority, to a draft body of principles, guidelines, and guarantees which had been annexed to the study. This resolution was adopted without a vote. (HR resolution 1984/47.) At the same time, the Commission also approved by a vote of 36 (U.S.) to 0, with 6 abstentions, a draft decision deciding that the study prepared by Mrs. Daes should be published in shortened version by omitting the annex containing a compilation of replies received by the Special Rapporteur to a questionnaire circulated while her study was being prepared, and given the widest possible distribution. (HR decision 1984.)

At ECOSOC, the Commission's recommended resolution concerning the establishment of a sessional working group to prepare principles, guidelines, and guarantees was approved without a vote. (Resolution 1984/33.) The Commission's decision concerning the publication of the report was also adopted without a vote. (Decision 1984/142.)

At the 39th General Assembly, the subject of human rights and scientific and technological developments was again discussed, and once again a draft resolution, with Eastern European cosponsors, on the right to life and the need to strengthen peace and to disarm was proposed. The content of the draft resolution was essentially repetitive of the one adopted earlier in the year by the Commission on Human Rights on the same subject. (HR resolution 1984/28.) At the General Assembly the Soviet-sponsored resolution was approved by a vote of 97 to 6 (U.S.), with 17 abstentions, in the Third Committee. In explaining her negative vote, the U.S. Representative in the Third Committee, Margaret C. Jones, noted that the draft resolution addressed highly contentious issues primarily related to nuclear arms and disarmament, which were wholly outside the competence of the Third Committee. She concluded that the United States was fully prepared to engage in practical, businesslike discussions with the cosponsors of the draft resolution in the appropriate forum in order to promote the goal of nuclear disarmament. The resolution was adopted by the General Assembly by a vote of 124 to 6 (U.S.), with 17 abstentions. (Resolution 39/134.) The Assembly also approved a resolution which had been proposed by the Byelorussian S.S.R., again along the lines of one earlier proposed at the Commission on Human Rights (HR resolution 1984/29), concerning implementation of the Declaration on the Use of Scientific and Technological Progress in the Interest of Peace and for the Benefit of Mankind. The vote was 127 to 0, with 21 (U.S.) abstentions. (Resolution 39/133.)

A procedural resolution proposed by the United Kingdom expressed the Assembly's satisfaction with the progress made by the Subcommission on Prevention of Discrimination and Protection of Minorities in dealing with the subject of the detention of persons in mental institutions on account of their political views or on other non-medical grounds. The draft resolution urged the Subcommission to expedite consideration of the draft body of principles, guidelines, and guarantees. This resolution was adopted without a vote. (Resolution 39/132.)

## **Human Rights and Disabled Persons**

At its 40th session, the Commission on Human Rights decided upon a new area of inquiry, the human rights of disabled persons. The Commission's initiative grew out of a request which it received from its Subcommission on Prevention of Discrimination and Protection of Minorities that it invite governments, in consultation with disabled persons, to identify human rights problems of disabled persons in their jurisdictions. The Subcommission's interest in this area had been stimulated by the adoption by the General Assembly in 1982 of a world program of action concerning disabled persons. The Commission acted upon a resolution put forward by Canada, which proposed that the Commission recommend that ECOSOC request the Subcommission to appoint a Special Rapporteur to undertake a thorough study of the causal connection between serious violations of human rights and fundamental freedoms and disability. It was further proposed that ECOSOC decide to inscribe exceptionally on the agenda of its first regular session in 1986 a special item on disabled persons to coincide with the approach of the 1987 mid-term of the Decade of Disabled Persons (1983-1992). The draft resolution was adopted without a vote. (Resolution 1984/31.)

The Economic and Social Council, at its First Regular Session in 1984, approved the Commission's proposal without a vote. (Resolution 1984/26.)

Subsequently, at the 1984 regular session of the Subcommission on Prevention of Discrimination and Protection of Minorities (see page 201), the Subcommission responded to the request made by ECOSOC and decided to appoint one of its expert members as Special Rapporteur to undertake the comprehensive study, as requested. The Special Rapporteur was requested to present to the Subcommission at its regular session in 1985 the proposed study which would then be forwarded to the Commission at its 42nd session in 1986.

At the UN General Assembly, the decision to inquire into the subject of human rights and disabled persons was noted with satisfaction in the general resolution on the United Nations Decade of

Disabled Persons, resolution 39/26, which was adopted without a vote at that session. (See page 157 of the section on Social Issues.)

## **Conscientious Objection**

Since its 25th session the Commission has had on its agenda an item relating to the role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service. At its 40th session, the Commission considered a draft resolution proposed by the Netherlands, which was prompted by the fact that the Commission's Subcommission had received and forwarded a report by two of its expert members on the question of conscientious objection to military service. The draft resolution expressed recognition of the need to promote and protect the human rights of conscientious objectors and proposed that ECOSOC decide that the report should be printed and given the widest distribution. The Secretary General was requested to report to the 41st Commission session on comments he would receive on the report from governments and other bodies and agencies. The Secretary General was also requested to report on other significant developments regarding the human rights of conscientious objectors. The resolution was adopted without a vote. (Resolution 1984/33.)

The Commission's recommendation was subsequently approved by ECOSOC in a resolution adopted without a vote at its first regular session of 1984. (Resolution 1984/27.)

## **Right To Leave a Country**

A fundamental human right recognized in Article 13 of the Universal Declaration of Human Rights is the right of everyone to leave any country, including his own, and to return to his country. At its 40th session, the Commission on Human Rights took an important step to strengthen the observance of this right by endorsing the initiation of a study which would build upon an earlier study of this same right which was submitted to the Subcommission in 1963. The Subcommission's recommended resolution, which was approved by the Commission, recommended that ECOSOC endorse the appointment by the Subcommission of one of its experts to undertake a project carrying a title which reflected a variety of special concerns connected with the basic right in question. The Rapporteur was requested to "prepare an analysis of the current trends and developments in respect of the right of everyone to leave any country, including his own, and to return to his country, and to have the possibility to enter other countries, without discrimination or hindrance, especially of the right to employment, taking into account the need to avoid the



phenomenon of the brain drain from developing countries and the question of recompensing those countries for the loss incurred, and to study in particular the extent of restrictions permissible under Article 12, paragraph 3, of the International Covenant on Civil and Political Rights . . . ." The resolution was adopted by a vote of 34 (U.S.) to 0, with 8 abstentions. (HR resolution 1984/37.)

The resolution recommended to ECOSOC was approved at the First Regular Session of ECOSOC, 1984, by a vote of 43 (U.S.) to 0, with 7 abstentions. (Resolution 1984/29.)

## **Regional Arrangements**

The 39th General Assembly continued its interest in encouraging the establishment of regional human rights machinery by adopting two further, essentially procedural resolutions on regional arrangements for the protection of human rights. A proposal put forward by Belgium and adopted without a vote contained two principal operative paragraphs. The first paragraph requested the Secretary General to consider the possibility of encouraging contacts between representatives of regional organizations and United Nations human rights bodies. The second paragraph requested the Commission on Human Rights to pay special attention to the most appropriate ways of assisting countries of different regions under the Program of Advisory Services. The Secretary General was invited to submit to the 41st General Assembly a report on the state of regional human rights arrangements. (Resolution 39/115.)

Another resolution proposed by Sri Lanka and adopted without a vote focused upon the Asian region. The resolution invited states members of the Economic and Social Commission for Asia and the Pacific that had not yet done so to communicate their comments on the report of the Seminar on National, Local, and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, which was held in Colombo in 1982. It was stated in the resolution that the further comments were desired in order to enable further consultations. The Secretary General was requested to report to the 41st General Assembly on the responses received to the invitation contained in the resolution. (Resolution 39/116.) This resolution was essentially a repetition of an earlier resolution which had been adopted without a vote at the first regular session of ECOSOC, 1984, also on the initiative of Sri Lanka, which requested comments on the Sri Lanka seminar from states members of the Asia and Pacific region to be submitted to the 39th General Assembly. (Resolution 1984/40.)

## Violations of Human Rights

The recurring item on the Commission's annual agenda concerning violations of human rights in any part of the world once again occupied a major part of the Commission's attention at its 40th session. The Commission devoted eight closed meetings to that part of the agenda item concerning the confidential procedures under ECOSOC resolution 1503 (XLVIII). At the outset of the public debate under the item, the Chairman announced that the Commission had taken action in private session with regard to the following countries: Albania, Argentina, Benin, Haiti, Indonesia (East Timor), Malaysia, Pakistan, Paraguay, Philippines, Turkey, and Uruguay. The Chairman also noted that action on Afghanistan had been postponed until later in the session and that the situations in Argentina, Malaysia, and Pakistan were no longer under consideration.

A major statement on the situation of human rights throughout the world was made by Ambassador Schifter. After commenting upon the country situations to be discussed by the Commission (Chile, El Salvador, Guatemala, Sri Lanka, Poland, and Iran), Ambassador Schifter discussed other instances of human rights violations "which we believe have the most important long-term consequences for humankind because they are committed by one of the most important and one of the most powerful countries on the face of the earth." He noted that during the course of the past year further retrogression had taken place in the observance of human rights in the Soviet Union. After describing a number of individual cases of continuing repression in the Soviet Union, Ambassador Schifter described three examples of the most serious forms of discrimination and deprivation of rights based on ancestry or racism. He referred to the situation of the Crimean Tatars, measures to russify the three Baltic nations of Estonia, Latvia, and Lithuania, and hatred of the Jews. He asserted that anti-Semitism has now become one of the established elements of Soviet policy and suggested the conclusion that the Soviet Union was following a policy of holding more than 2 million people hostage to effect foreign policy goals.

With regard to the situation of human rights in Poland, a draft resolution was proposed, cosponsored by France, the Federal Republic of Germany, Italy, and the Netherlands. The draft resolution provided that the Secretary General continue to undertake direct contacts with the Government of Poland (which had been carried out pursuant to the Commission's resolution adopted at its previous session) and to report to the Commission at its 41st session. Prior to the vote on this draft resolution, Cuba proposed that the Commission take no decision upon it until its 41st session. The Cuban motion was adopted by a vote of 17 to 14 (U.S.), with 12 abstentions. (HR decision 1984/110.)

With respect to the situation of human rights in El Salvador, the Commission received another report from its Special Representative, Spanish Professor Pastor Ridruejo. On behalf of his delegation, a draft resolution was proposed by Mexico and other cosponsors—Algeria, France, Netherlands, Spain, and Yugoslavia. The United States proposed a series of amendments to the Mexican draft resolution. The U.S. amendments were designed to introduce into the resolution a more balanced description of the actual human rights situation in El Salvador; to underline support for the Contadora process; and to remove language forbidding military assistance to the government of that country. At the time of voting, Mexico proposed a motion that no decision be taken upon the U.S. amendments. The Mexican motion was approved by a vote of 18 to 15 (U.S.), with 9 abstentions. The Mexican draft resolution was then approved by a vote of 24 to 5 (U.S.), with 13 abstentions. (HR resolution 1984/52). The approved resolution, in its principal operative paragraphs, expressed the Commission's concern at reports of grave human rights violations persisting in El Salvador; reaffirmed the right of the Salvadoran people freely to determine their political, economic, and cultural future without interference from outside and in an atmosphere free from intimidation and terror; urged all states to suspend all supplies of arms and any type of military assistance; recommended various agrarian and judicial reforms; and decided to extend the mandate of the Special Representative for another year with the request that he report on further developments in the situation of human rights in El Salvador to the 39th General Assembly and to the 41st Commission session.

The Commission also received a report from its Special Rapporteur, Viscount Colville of Culross, on the human rights situation in Guatemala. A draft resolution was proposed by the Netherlands on its behalf and cosponsors Canada, France, Ireland, and Spain. In its principal operative paragraphs, the draft resolution expressed the Commission's profound concern at the continuing massive violations of human rights in Guatemala; addressed a number of appeals and requests to the Government of Guatemala; and called upon governments to refrain from supplying arms and other military assistance as long as serious violations of human rights in Guatemala continued to be reported. The mandate of the Special Rapporteur was extended for another year. In the voting, the U.S. Representative requested a separate vote on that paragraph of the draft resolution providing for the extension of the Special Rapporteur's mandate. This paragraph was approved by a vote of 36 (U.S.) to 1, with 5 abstentions. The resolution as a whole was then approved by a vote of 28 to 3 (U.S.), with 11 abstentions. The U.S. negative vote was based upon the provisions in the draft resolution calling for the cutoff of military



assistance, a cutoff which would not impact on assistance extended to the guerrillas in Guatemala. (HR resolution 1984/53.)

The human rights situation in Iran was addressed in a draft resolution sponsored by Canada, Costa Rica, the Netherlands, and the United Kingdom. The draft resolution, instead of calling for a further report from the Secretary General on the situation in Iran, as requested in its previous resolutions, proposed that the Chairman appoint a Special Representative of the Commission with the mandate to establish contacts with the Government of Iran and to make a thorough study of the human rights situation in that country. Another provision of the draft resolution expressed deep concern at the continuing serious violation of human rights and fundamental freedoms in Iran as reflected in the report of the Secretary General, and particularly at the evidence of summary and arbitrary executions, torture, detention without trial, religious intolerance and persecution, in particular of the Baha'is, and the lack of an independent judiciary and other recognized safeguards for a fair trial. The resolution was approved by a vote of 21 (U.S.) to 6, with 15 abstentions. (HR resolution 1984/54.)

The human rights situation in Afghanistan was the subject of a resolution which had been proposed to the Commission by its Subcommittee on Prevention of Discrimination and Protection of Minorities. The Subcommittee's resolution proposed that the Commission recommend to ECOSOC that it be authorized to appoint a Special Rapporteur with a mandate to examine the human rights situation in Afghanistan with a view to formulating proposals which could contribute to ensuring full protection of the human rights of all residents of the country before, during, and after the withdrawal of all foreign forces. The proposed resolution differed from the resolution which had already been adopted by the Commission concerning Afghanistan in that the earlier resolution focused upon the denial of the right of self-determination of the peoples of Afghanistan because of the occupation of that country by foreign forces. Before the vote on the draft resolution, the U.S.S.R. proposed that the Commission take no decision on it. The U.S.S.R. proposal was rejected by a vote of 9 to 24 (U.S.), with 8 abstentions. The draft resolution was then approved by a vote of 27 (U.S.) to 8, with 6 abstentions. (HR resolution 1984/55.)

A part of the discussion of the draft resolution on the human rights situation in Afghanistan had involved expressions of view on the propriety of the Commission's taking action upon a draft resolution in public session which dealt with a situation of human rights violations being considered by the Commission under its confidential 1503 procedures. Brazil and Uruguay, who most vigorously argued the position that public action was barred because of the competing requirements of the confidential 1503 procedures, did

not take part in the vote on the resolution on human rights in Afghanistan which the Commission approved. In fact, these two delegations subsequently sponsored a draft resolution proposing that the Commission decide to request its Subcommission to refrain in the future from submitting draft resolutions for adoption by the Commission which concerned situations that are under consideration by the Commission under ECOSOC resolution 1503 (XLVIII). Debate on this draft resolution was adjourned until the 41st Commission session by adoption of a motion put forward by the Representative of Ireland. The Irish motion to adjourn the debate was approved by a vote of 30 (U.S.) to 7, with 6 abstentions. (HR decision 1984/106.)

The situation of human rights in Sri Lanka had also been raised in a resolution adopted by the Subcommission at its 36th session held in 1983. The Subcommission recommended that the Commission on Human Rights should examine the situation in Sri Lanka. During the course of the 40th session of the Commission on Human Rights, private discussions took place among interested delegations concerning the human rights situation in Sri Lanka. The outcome of these discussions was reflected in a draft decision proposed by Cyprus and Yugoslavia, which was adopted without a vote. (HR decision 1984/111.) As adopted, the decision took note of information voluntarily submitted by the Government of Sri Lanka and welcomed all measures for rehabilitation and reconciliation, including the All Party Conference. It expressed the hope that they would succeed in achieving a lasting solution and decided that further consideration of the matter was not necessary.

The question of human rights in Cyprus was the subject of a decision proposed by the Commission Chairman after consultations with the interested parties. As adopted by the Commission without a vote, the decision provided that the sub-item on the agenda concerning human rights in Cyprus be postponed to the 41st session. The Commission acted on the understanding that action required by previous resolutions of the Commission on the subject of human rights in Cyprus would continue to remain operative, including the request to the Secretary General that he provide a report to the Commission regarding their implementation. (HR decision 1984/117.)

The situation in Central America was the subject of a resolution which was in part stimulated by a resolution proposed by the Subcommission proposing that ECOSOC recommend to all governments to support efforts made in order to favor the attainment of peace so that Nicaragua might be assured its right to self-determination and its development without any external interference, especially by sustaining the efforts made by the Contadora Group.

A resolution, cosponsored by Colombia, Mexico, Panama, and Venezuela, was proposed which, in its principal operative paragraphs,

reaffirmed the right of the people of all countries of Central America to live in peace and to decide their own future, free from all outside interference or intervention, and repudiated acts of aggression against the sovereignty, independence, and territorial integrity of the states of the region. Firmest support was expressed for the efforts of the Contadora Group in providing its good offices to the Central American countries. This resolution was adopted without a vote. (HR resolution 1984/34.)

The resolution proposed by the Subcommission concerning Nicaragua, together with amendments to it which had been proposed by Costa Rica, was not voted upon after the Commission accepted without a vote a Mexican proposal that no decision on this draft resolution be taken. Also under the item relating to violations, the Commission approved without a vote a draft resolution proposed by Costa Rica supporting the efforts of the Secretary General to assist the Government of Equatorial Guinea in ensuring the full enjoyment of human rights and fundamental freedoms in that country. (Resolution 1984/51.)

In support of its consideration of the human rights situation in Haiti under the confidential 1503 procedures, the Commission adopted without a vote a public decision proposing that ECOSOC request the Secretary General to continue his consultations with the Government of Haiti with a view to further exploring ways and means of providing that government with assistance to facilitate the realization of full enjoyment of human rights to the people of Haiti. (HR decision 1984/109.)

Finally, under the same agenda item, the Commission addressed two problem areas by adopting resolutions of general application without specific reference to a particular country. Canada proposed a draft resolution dealing with human rights and mass exoduses. This resolution, which was adopted without a vote, invited governments to intensify their cooperation and assistance in worldwide efforts to address the problem of mass exoduses in all its aspects. Other operative paragraphs expressed support for further continuing the efforts of the Secretary General to deal with this problem. (HR resolution 1984/49.)

Having received and considered another report from its Special Rapporteur, S. Amos Wako, on summary or arbitrary executions, the Commission approved without a vote a resolution proposed by Finland by which the Commission once again strongly deplored the large number of summary or arbitrary executions, including extralegal executions, which continue to take place in various parts of the world. The Commission proposed that ECOSOC decide to continue the mandate of the Special Rapporteur for another year in order to enable him to submit further conclusions and recommendations to the



Commission. The Special Rapporteur was requested, in carrying out his mandate, to continue to examine situations of summary or arbitrary executions, and to pay special attention to cases in which a summary or arbitrary execution is imminent or threatened. (HR resolution 1984/50.)

Followup endorsement of a number of Commission resolutions occurred at the first regular session of ECOSOC, 1984. The recommended resolution on summary or arbitrary executions, which continued the mandate of the Commission's Special Rapporteur, was approved without a vote. (Resolution 1984/35.) Likewise, the recommended resolution on the situation in Equatorial Guinea was approved without a vote. (Resolution 1984/36.) The recommended resolution concerning the appointment of a Special Rapporteur on the situation of human rights in Afghanistan was also approved by a vote of 35 (U.S.) to 4, with 12 abstentions. (Resolution 1984/37.)

A decision endorsing the Commission's decision to extend the mandate of the Special Representative on the situation in El Salvador was approved 33 to 3 (U.S.), with 14 abstentions. (Decision 1984/136.) In explanation of his vote, the U.S. Representative recalled the fact that the Government of El Salvador had extended its cooperation to the Commission's Special Representative in his investigations concerning the human rights situation in El Salvador. He also recalled that elections had been held in El Salvador during the past year, and he expressed the disappointment of the United States that the Special Representative had not found it possible to observe the electoral process in El Salvador firsthand. He expressed the belief that the Special Representative had a responsibility to the Commission on Human Rights and to the people of El Salvador to exhibit a consistent willingness to look at all significant factors.

By decision 1984/137, adopted by a vote of 34 (U.S.) to 1, with 15 abstentions, ECOSOC endorsed the Commission's decision to extend the mandate of the Special Rapporteur on the situation of human rights in Guatemala for another year. The Commission's decision for the appointment of a Special Representative on the human rights situation in Iran was endorsed by a vote of 29 (U.S.) to 2, with 14 abstentions. (Decision 1984/138.) In decision 1984/143, adopted by a vote of 45 to 2 (U.S.), with 3 abstentions, ECOSOC endorsed the Commission's proposal that the Secretary General be requested to continue his consultations with the Government of Haiti for the purpose of assisting that government to facilitate the realization of the full enjoyment of human rights for the people of Haiti. The U.S. vote against this decision was based on the unacceptable implications.

At the 39th General Assembly, country situations involving violations of human rights were considered under the agenda item "Report of the Economic and Social Council." Draft resolutions

proposed were again limited to three countries in Latin America: El Salvador, Guatemala, and Chile. A statement by Ambassador Schifter presented a detailed description of serious human rights violations in Cuba. Ambassador Schifter referred to the phenomenon of "selective indignation" so common in United Nations human rights pronouncements. He noted that once again the United Nations was to consider human rights situations in three Latin American countries, while "one Latin American country, the country which is the most serious human rights violator of them all, has succeeded in escaping scrutiny in United Nations fora. It is, interestingly, one of the countries which comes closest to all the nations in the world in resembling the nightmare state described by George Orwell in his novel, 1984. The country to which I am referring is, of course, Cuba."

Two resolutions were proposed on the question of human rights in El Salvador. One resolution was proposed by Mexico and subsequently cosponsored by eight other countries. Another draft resolution on the situation of human rights in El Salvador was introduced by Venezuela on behalf of itself and cosponsors Costa Rica and Singapore.

The Mexican draft resolution was much more extreme in its provisions and differed principally from the Venezuelan resolution in its provision urging states to suspend supplies of arms and military assistance.

Amendments to the Mexican draft resolution were proposed by Costa Rica and Venezuela, while Nicaragua and Cuba proposed amendments to the draft resolution proposed by Costa Rica, Venezuela, and Singapore. Prior to the voting in the Third Committee, the Delegation of Mexico introduced a number of oral revisions to its draft resolution. As a consequence of these revisions, Venezuela withdrew the amendments. The amended Mexican draft resolution was then approved in the Third Committee by a vote of 83 to 13 (U.S.), with 35 abstentions.

Speaking in Committee in an explanation of the vote, Ms. Jones stated that the United States deemed the draft resolution in its totality inappropriate in light of the new state of affairs in El Salvador. The resolution did not, she continued, give President Duarte the recognition and support he deserved for his administration's fine contributions to the advancement of the cause of human rights in El Salvador.

The resolution was adopted by the General Assembly by a vote of 93 to 11 (U.S.), with 40 abstentions. (Resolution 39/119.) The approved resolution expressed the Assembly's deep concern at the fact that although the number of human rights violations in El Salvador has decreased, they are still serious and numerous, resulting in suffering for the Salvadoran people. The question of the supply of arms was covered in operative paragraphs which requested all states

"to refrain from interfering in the internal situation in El Salvador and, instead of supplying arms or helping in any way to prolong and intensify the war, to encourage the continuation of the dialogue until a just and lasting peace is achieved."

The question of human rights and fundamental freedoms in Guatemala was addressed in a resolution introduced by Sweden and subsequently cosponsored by nine other countries. The draft resolution reiterated the Assembly's deep concern at the continuing grave and widespread violations of human rights in Guatemala. Other operative paragraphs urged once again the Government of Guatemala to take effective measures to ensure full respect for human rights and fundamental freedoms and called for that government to allow an independent and impartial body to function in the country to monitor and investigate alleged human rights violations. The key operative paragraph, which the United States found especially objectionable, called upon governments to refrain from supplying arms and other military assistance to Guatemala as long as serious human rights violations in that country continue. The draft resolution was approved in the Third Committee by a vote of 79 to 13 (U.S.), with 39 abstentions. Ms. Jones criticized the text of the draft resolution for its lack of balance in its failure to reflect the findings of the Special Rapporteur and its failure to reflect improvements in the field of human rights in Guatemala. She noted that both the annual report of the U.S. Department of State on human rights conditions in Guatemala and the report of the Special Rapporteur of the Commission on Human Rights contained similar conclusions concerning improvements in Guatemala. The resolution was approved by the General Assembly by a vote of 85 to 11 (U.S.), with 47 abstentions. (Resolution 39/120.)

A resolution introduced by Canada and other cosponsors dealt with the subject of human rights and mass exoduses. The resolution, which was adopted without a vote, was similar to that adopted earlier in the year by the Commission on Human Rights on the same subject. It contained a number of procedural paragraphs which welcomed the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes. The Secretary General was urged to continue his activities in this area. (Resolution 39/117.)

The subject of summary or arbitrary executions was considered in a draft resolution proposed by Denmark and other cosponsors. This resolution, which was also adopted without a vote, echoed earlier resolutions on the same subject adopted by the Commission on Human Rights and ECOSOC, including the extension of the mandate of the Commission's Special Rapporteur for another year. (Resolution 39/110.)



## Human Rights in Chile

Although most country situations involving human rights violations are considered in the Commission on Human Rights under the general item concerning violations in any part of the world, the subject of human rights in Chile has been repeatedly considered under a separate agenda item. The 40th Commission received another report from its Special Rapporteur, Judge Rajsoomer Lallah. A draft resolution was proposed by Mexico on behalf of itself and Algeria, Cuba, France, Italy, Mozambique, Spain, and Yugoslavia. The draft resolution followed the pattern of previous resolutions on the subject in reviewing with distress and dismay the various human rights violations which the Commission feels continue to be occurring in Chile. The Commission decided to extend the mandate of its Special Rapporteur for a year and to request him to report to the 39th General Assembly and to the 41st Human Rights Commission. The vote on the draft resolution was 31 to 5 (U.S.), with 6 abstentions. (Resolution 1984/63.) The U.S. vote against was based upon its continuing disapproval of the double standard which it has felt is being applied to Chile in the United Nations, in particular, by insisting on standards of compliance not expected of many other countries. The human rights situation in Chile has been singled out for especially close attention since 1975 by numerous renewals of the mandates of the Commission's Special Rapporteur and the predecessor *ad hoc* working group.

The first regular session of ECOSOC, 1984, in decision 1984/140, endorsed the Commission's decision to extend the mandate of the Special Rapporteur. The decision was adopted by a vote of 35 to 3 (U.S.), with 12 abstentions.

The 39th General Assembly received the report of the Commission's Special Rapporteur and acted on the subject of human rights and fundamental freedoms in Chile on the basis of a resolution proposed by Mexico and other cosponsors. The resolution again followed the pattern of resolutions adopted at previous Assembly sessions and in large measure repeated the provisions already approved in the Human Rights Commission resolution adopted earlier in the year. The U.S. position on the draft resolution was expressed by Ambassador Schifter in an explanation of the vote. His explanation reflected the serious concern on the part of the U.S. Government about the regression in human rights conditions in Chile over the past year. Ambassador Schifter said: "My government, Mr. Chairman, has made its views on the subject of human rights clearly known to the Government of Chile, both privately and in public. We urge the Government of Chile to take immediate corrective measures, beginning with the lifting of the state of siege. We call for an immediate end to violations of human rights and reiterate our view

regarding the necessity to re-establish democracy in Chile." Ambassador Schifter concluded by explaining that the United States would vote against the draft resolution, which he said reflected a double standard in its text. He criticized the text as containing a mixture of accurate and inaccurate assertions, statements as to standards to which Chile is to be held but which will not be universally applied. The vote on the resolution in the Third Committee was 83 to 15 (U.S.), with 32 abstentions. The resolution was subsequently adopted by the General Assembly by a vote of 90 to 13 (U.S.), with 40 abstentions. (Resolution 39/121.)

## **Slavery/Child Labor**

At its 40th session, the Commission on Human Rights received from its Subcommission proposals concerning slavery and the slavery-like practice of exploitation of child labor. These proposals were developed in the Subcommission's standing Working Group on Slavery. One resolution focused upon various phenomena of slavery which exist in the world today, such as debt bondage and the exploitation of women and children. In its operative paragraphs the resolution contained a number of appeals to relevant United Nations organs to assist in the Commission's efforts to combat modern-day slavery-like practices. The first operative paragraph recognized that apartheid is a slavery-like practice and endorsed the call for mandatory economic sanctions against South Africa. Because of this paragraph, which was put to a separate vote and adopted by a vote of 31 to 7 (U.S.), with 5 abstentions, the United States and other Western delegations could not vote in favor of the resolution. The resolution was approved by a vote of 35 to none, with 8 (U.S.) abstentions. (Resolution 1984/40.)

The Subcommission also proposed a resolution concerning the slavery-like practice of female sexual mutilation and proposed that two expert members of the Subcommission carry out a study of all aspects of the problem. A redrafted resolution proposed by Senegal, designed to involve in the study other relevant bodies of the UN system, was approved without a vote. (HR resolution 1984/48.) As approved, ECOSOC was requested to authorize the Secretary General to entrust a working group composed of experts designated by the Subcommission, UNICEF, UNESCO, and WHO with the task of conducting a comprehensive study on the phenomenon of traditional practices affecting the health of women and children. The working group was requested to submit its report to the Commission at its 42nd session.

The Commission also approved without a vote a draft resolution proposed by the Subcommission concerning the use of children in the

armed forces of the Islamic Republic of Iran. The approved resolution calls upon the government of that country to conform to the provisions of relevant declarations and conventions and invites appropriate international organizations to offer all possible aid for the welfare of children at present prisoners of war in Iraq. (HR resolution 1984/39.)

Finally, the Commission adopted without a vote a resolution which proposed that ECOSOC request the Secretary General to organize a Seminar on Ways and Means by Which to Achieve the Elimination of the Exploitation of Child Labor in All Parts of the World. (HR resolution 1984/35.) At the first regular session of ECOSOC, 1984, there were approved without votes resolution 1984/34 concerning authorization for the study of traditional practices affecting the health of women and children, and resolution 1984/28, authorizing the seminar on exploitation of child labor.

## **Measures Against Totalitarian or Other Ideologies and Practices Based on Terror or Incitement to Racial Discrimination**

The agenda of the 40th Commission on Human Rights contained an item long favored by Eastern European countries and frequently considered at previous Commission sessions. The item was entitled "Measures to be Taken Against All Totalitarian or Other Ideologies or Practices, Including Nazi, Fascist, and Neo-Fascist, Based on Racial or Ethnic Exclusiveness or Intolerance, Hatred, Terror, Systematic Denial of Human Rights and Fundamental Freedoms, or Which Have Such Consequences." The interest of Eastern European countries in this item is obviously based upon a desire to maintain public attention upon Nazi and Fascist ideologies and, incidentally, upon countries historically associated with those ideologies.

The United States tried an unusual procedural tactic by introducing its own draft resolution under this item. This draft resolution listed the violations of human rights which were the hallmark of a totalitarian regime and underlined that the best bulwark against totalitarianism is the establishment and maintenance of democratic institutions. Expectedly, a competing draft was put forward by a variety of Eastern European states led by the German Democratic Republic. This draft, much longer in content, placed greater emphasis upon Nazi, Fascist, and neo-Fascist ideologies and also highlighted the upcoming 40th anniversary in 1985 of the Second World War. Amendments to the U.S. draft were proposed by Bulgaria, the German Democratic Republic, and the Ukrainian S.S.R. Ultimately, as a result of private negotiations among interested delegations, a revised draft resolution was proposed by the German



Democratic Republic, and the U.S. draft resolution, together with all amendments thereto, was withdrawn. The revised draft resolution was then adopted without a vote. (HR resolution 1984/42.) The approved resolution, while highlighting in exaggerated terms the dangers of Nazi, Fascist, and neo-Fascist ideologies and in some of its operative paragraphs unduly emphasizing the occasion of the 40th anniversary of the conclusion of the Second World War, did contain some language reflecting Western concerns. For example, a key preambular paragraph acknowledged with satisfaction that many states have established systems based on the inherent dignity and the equal and inalienable rights of all human beings, which are the basis of democratic society and the best bulwark against totalitarian ideologies and practices. Further provisions noted that various forms of totalitarian ideologies and practices continue to exist in the contemporary world and condemned such ideologies and practices.

The first regular session of ECOSOC, 1984 received a report from the Secretary General on the subject of totalitarian ideologies and practices. In a decision adopted without a vote, ECOSOC decided to transmit this report to the 39th General Assembly. (Decision 1984/149.)

At the 39th General Assembly, there was further discussion of the subject of totalitarian ideologies and practices, and a draft resolution was again proposed by the German Democratic Republic and other Eastern European cosponsors. A revised draft was subsequently tabled which reflected the results of negotiations conducted by the cosponsors with certain Western delegations. This revised draft was approved without a vote. The content of the approved resolution in most respects repeated language already approved earlier in the year by the Commission on Human Rights in its resolution 1984/42. All totalitarian and ideological practices were condemned and attention was directed once again to the occasion of the 40th anniversary of the victory over Nazism and Fascism in the Second World War. The Commission on Human Rights was requested to consider the subject again at its 41st session, with a report on the Commission's consideration to be submitted to the 40th General Assembly. (Resolution 39/114.)

## **Advisory Services**

The Commission maintains an overview role with respect to the Advisory Services Program, which is administered by the UN Human Rights Center. This program, which was instituted by the General Assembly in 1955, reflects an understanding of the need for the United Nations to contribute in a positive way to assist countries in improving human rights observance. The program has three principal

elements: the provision of experts to countries requesting them, the provision of fellowships and scholarships, and seminars. The Commission annually receives from the Secretary General a report on actions taken under this program.

At its 40th session, the Commission adopted three resolutions under the item without a vote. One resolution dealt with the provision of advisory services assistance to the Government of Bolivia and requested the Secretary General to implement certain projects suggested by the Commission's Special Envoy for Bolivia. (HR resolution 1984/43.)

A resolution proposed by the the Federal Republic of Germany contained operative paragraphs which encouraged the Secretary General to continue and, as appropriate, to enhance the extension of assistance under the Advisory Services Program. (HR resolution 1984/44.)

Finally, Commission resolution 1984/45 endorsed efforts being conducted by the Secretary General to provide advisory services to the Government of Uganda.

At its first regular session in 1984, ECOSOC adopted without a vote resolution 1984/32, which approved the terms of the Commission's resolution relating to the Advisory Services Program for Bolivia.

Also under the Advisory Services Program, a seminar on religious intolerance was held in Geneva December 3-14, 1984. (See page 177.)

## **Subcommission on Prevention of Discrimination and Protection of Minorities**

The 37th annual session of the Subcommission on Prevention of Discrimination and Protection of Minorities met in Geneva August 6-September 9, 1984. Participants were those experts who had been elected by the Commission on Human Rights earlier in the year at its 40th session. The Commission elected the entire membership of 26 members, and also for the first time elected alternate members. The new U.S. expert member was John P. Roche; the alternate member was John Carey.

At its 37th session, the Subcommission continued the recent trend of adopting an increasing total of resolutions (37) and decisions, including a number of resolutions highlighting situations of human rights violations in particular countries which had been raised by one or more of the Subcommission's members. One particular situation of human rights violations considered for the first time by the Subcommission involved the existence of legislation or practices in various countries providing for the penalty of amputation. The Subcommission took procedural decisions with respect to 11 studies or

drafting projects presently underway and instituted 3 more such projects. Among the studies currently underway, two of special interest are those concerning the problem of religious intolerance and the right to leave any country.

Among the highlights of the session was the receipt of the report from one of its expert members who had recently completed a mission to Mauritania, where he investigated the situation prevailing in that country with regard to slavery and the slave trade. Another highlight was the receipt and endorsement by the Subcommission of the full report on the problem of discrimination against indigenous populations, which had been in preparation by a former expert member of the Subcommission since 1972. Also on the subject of discrimination against indigenous populations, the Subcommission forwarded to the Commission for approval criteria for the establishment of a UN Voluntary Fund for Indigenous Populations.

The Subcommission also proceeded with its investigations into the problem of human rights and scientific and technological developments by proposing the initiation of two new studies, one on the prevention and suppression of unlawful human experimentation and another on the implications for human rights of recent advances in computer and microcomputer technology.

Some of the significant actions taken by the Subcommission were based upon the recommendations of two presessional working groups which met for 1 week prior to the opening of the session. One of the working groups deals with the problem of slavery and the other with the subject of indigenous populations. A third working group on the human rights of persons subjected to any form of detention or imprisonment met during the course of the 37th session.

Responding to requests which had been made to it by the Commission, the Subcommission proposed that one of its members prepare an analysis concerning the proposal to elaborate a Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. A Special Rapporteur to undertake a comprehensive study on the human rights of disabled persons was appointed. (See page 196.) Another expert member of the Subcommission was designated to look into the question of defining the term "minority," a project requested by the Commission in relation to its drafting of a Declaration on the Rights of Minorities.

Finally, the Subcommission, in reviewing its work program, made a number of recommendations to the Commission concerning its own makeup and methods of work. It proposed that (a) the method of election be changed so that expert members would be elected for a term of 4 (rather than 3) years, with half the members elected every 2 years; (b) the name of the Subcommission be changed in order to



describe its work more clearly; (c) the studies program of the Subcommission be systematized in order to cope adequately with the growing number of studies underway; (d) additional meetings per session be authorized; and (e) the Human Rights Center be strengthened in order to improve services available to the Subcommission.

In closed sessions, the Subcommission dealt with recommendations of its preessional working group on communications. This standing working group was established under ECOSOC resolution 1503 (XLVIII) to screen the thousands of human rights communications received each year by the United Nations from private sources. The working group's task is to identify for the full Subcommission situations appearing to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms. The Subcommission decided to refer some situations to the Commission on Human Rights for consideration.

## **Status of Women**

In 1984 issues concerning the status of women were considered in the United Nations at the Commission on the Status of Women, ECOSOC, and the General Assembly. Increasing attention was given to the preparations for the 1985 World Conference, with the United States taking the lead in trying to ensure that the Conference would focus on matters of direct concern to women.

## **COMMISSION ON THE STATUS OF WOMEN**

The Commission on the Status of Women held its 30th regular session at the Vienna International Center from February 15 to 25, 1984, and its 2nd extraordinary meeting as the preparatory body for the 1985 World Conference from February 27 to March 7, 1984, also in Vienna.

The United States participated actively in both meetings, which were attended by a number of observer states and non-governmental representatives in addition to the 32 elected members. The meetings were productive and successful from a U.S. point of view and were marked by a generally strong sense of cooperation. Political rhetoric was muted in comparison to previous years.

A key theme in the discussions was the recognition that the Commission could play an important role in monitoring the implementation of the goals of the UN Decade for Women after the 1985 World Conference. Cumulatively, the resolutions adopted reflected a desire to strengthen the Commission and to refocus its work on pragmatic issues of concern to women.

At its regular session, the Commission adopted 11 resolutions by consensus covering a wide range of issues, including 2 resolutions dealing with the sensitive issues of "Women under Apartheid" and the "Situation of Palestinian women within and outside the occupied Arab territories." The United States was the principal sponsor of the resolution on family violence, which achieved widespread support throughout the Commission and became the subject of the UN's weekly television spot for women in developing countries. The United States cosponsored other resolutions on elderly women, young women, and women employed by the United Nations. Because of last-minute Soviet amendments designed to politicize the issue of women refugees, the United States decided to withdraw its resolution on this subject. The Commission also adopted a resolution on "Physical violence against detained women that is specific to their sex," which dealt with a common theme in many of the confidential communications received by the Commission from women concerning violations of their human rights.

In its subsequent second extraordinary session as Preparatory Body for World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, the Commission adopted five draft decisions related to basic documentation to be submitted to the World Conference, outstanding organizational aspects of the Conference and the provisional agenda for its 1985 third extraordinary session. Emphasis was placed on identifying in the documentation the achievements in the Decade and the measures, short and long term, that must be taken to strengthen the role of women in every aspect of society up to the year 2000.

The Commission as preparatory body decided to request reports on "women under apartheid" and an updated report on "women and children living under the occupied Arab territories and other occupied territories" in response to operative paragraph four of resolution 38/108 of the 38th General Assembly in 1983 which in effect called for the Conference to give "particular attention" to these subjects under agenda item seven of the Commission (review and appraisal). The United States, which had voted against resolution 38/108 because of that paragraph, while not completely happy with the outcome, nonetheless considered that some progress had been made in moving away from the emphasis given to those subjects at the 1980 Copenhagen Conference when they had appeared as separate agenda items.

While the United States had withdrawn its resolution on refugee women at the regular Commission session, the interest the subject had stimulated led to a request to the Secretary General to submit a report on refugee and displaced women to the World Conference. A number of guidelines were adopted for the Secretariat to use in

drafting a forward-looking strategies document to guide action to the year 2000. Emphasis was placed on women and development and special attention was drawn to a list of vulnerable groups of women. In addition, it was requested that the documentation highlight the role of technology, the need to eradicate illiteracy, and the importance of the family unit.

Consideration of the provisional rules of procedure was deferred to 1985 in case the General Assembly would complete its work on standard rules of procedure for global conferences at its 39th session.

## ECOSOC CONSIDERATION

At its first regular session in 1984, ECOSOC considered an agenda item on the "Convention on the Elimination of all Forms of Discrimination against Women" in plenary and the agenda item "Activities for the advancement of women: Equality, Development and Peace" in the second committee and plenary.

Two resolutions were adopted dealing with the Convention on the Elimination of All Forms of Discrimination against Women. One called for reporting on the achievements of and obstacles experienced by states parties in the implementation of the Convention and asked the Secretary General to transmit the reports of the Committee on the Elimination of Discrimination against Women to the 39th General Assembly, as well as to the Commission on the Status of Women, for information. The resolution also recommended that the General Assembly take the steps to ensure summary records for the Committee; because of the financial implications of this recommendation the U.S. Delegation called for a voice vote and voted no. The resolution was adopted May 22 by a vote of 48 to 1 (U.S.), with 0 abstentions. (E/Res/1984/3.) On May 24th another resolution was adopted by consensus which had been contained in the report of the Commission on the Status of Women. The resolution urged all member states that had not yet done so to ratify or accede to the Convention and decided that the Commission on the Status of Women would include the question of the Convention on the Elimination of All Forms of Discrimination against Women in its 31st session. (E/Res/1984/10.)

Adopted without a vote on May 22 were the following 10 resolutions which had been drafted at the 30th session of the Commission.

"Equal opportunity for women employed in the United Nations System," called for member states to include the names of qualified women in their list of candidates nominated for United Nations posts. (E/Res/1984/11.)

"Concerns of women within the United Nations System," requested the Secretary General to examine ways in which the needs



and concerns of women can be integrated in all planning and program activities of the UN system and to report on the subject to the next session of the Commission. It also recommended that the General Assembly require of specialized agencies their continued cooperation and coordination with the Commission beyond the 1985 World Conference. (E/Res/1984/12.)

A resolution entitled "Elderly Women," called for the Secretary General to prepare an information report for the 31st session of the Commission on the status and situation of elderly women in their societies and their social, health, and economic needs on the basis of reports, discussions, and recommendations, in particular those of the World Assembly on Aging. (E/Res/1984/13.)

A resolution sponsored by the United States concerning "Violence in the Family," recognized that violence within the family has serious negative consequences for all individuals concerned and for society as a whole. It called for the Secretary General to invite member states, organizations of the United Nations system and non-governmental organizations to provide the Secretariat with information on family violence and on successful programs to deal with it. It also urged member states to take appropriate steps to effect a systematic exchange of information on this subject and called on the Secretary General to convene a seminar of experts on family violence with emphasis on its effects on women, taking into account what may emanate on this subject from the 7th U.N. Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1985, with a view toward making recommendations to combat this abuse. (E/Res/1984/14.)

A resolution recommending that member states take steps to identify and focus on the needs of young women and pay special attention in multilateral and bilateral cooperation programs and projects to the training and development of young women for senior level employment opportunities was entitled "Promotion of Opportunities for Young Women." It also asked the Advisory Committee on the International Youth Year (1985) to consider the needs of female youth. (E/Res/1984/15.)

The resolution "Implementation of the objectives of the U.N. Decade for Women: Equality, Development and Peace" recommended that efforts continue beyond the U.N. Decade for Women to achieve equal treatment for women and highlights some economic and political obstacles which impede the achievement of this objective. (E/Res/1984/16.)

Resolution 1984/17, "Women under Apartheid," called attention to the situation of women under apartheid, urged the international community to give assistance to women in South Africa and Namibia and asked the Secretary General to submit a preliminary report to the

next session of the Commission on the Status of Women on measures of assistance to women within South Africa and Namibia and those that have become refugees because of apartheid.

A report on the "Situation of Palestinian Women within and outside the occupied Arab territories," was called for to be presented to the Commission on the Status of Women at its 31st session. Similar reports have been requested in the past but had been confined to the situation in the occupied Arab territories. (E/Res/1984/18.)

A resolution noting the grave concern of the Commission on the Status of Women at the pattern of physical violence, including rape and other sexual abuse, suffered by women in detention that emerged during its consideration of confidential communications was enunciated in "Physical violence against detained women that is specific to their sex." The resolution called on member states to take appropriate measures to eradicate such violence. (E/Res/1984/19.)

Finally, a resolution entitled "Future Work of the Commission on the Status of Women," recommended that the Commission on the Status of Women at its 31st session consider proposals to assure the full participation of women in establishing conditions conducive to peace and the elimination of inequality and poverty as a contribution to the International Year of Peace (1986). (E/Res/1984/20.)

On May 22 the ECOSOC adopted the following four decisions related to women: it approved the provisional agenda and documentation for the 31st session of the Commission on the Status of Women (E/Dec/1984/123); it approved the Statute of the International Research and Training Institute for the Advancement of Women and transmitted it to the General Assembly (E/Dec/1984/124); it took note of the report of the Commission on the Status of Women acting as Preparatory Body for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, approved the recommendations contained therein and transmitted it to the General Assembly (E/Dec/1984/125); and it took note of the report of the Commission on the Status of Women at its 30th session (E/Dec/1984/126.)

## GENERAL ASSEMBLY

The 39th General Assembly adopted 10 resolutions on women, 8 without a vote and 2 by roll-call vote under the agenda items "International Research and Training Institute for the Advancement of Women," "UN Decade for Women: Equality, Development and Peace," and "Development and International Economic Cooperation; Effective mobilization and integration of women in development. The latter was considered by the Second Committee.

The Third Committee considered nine of the draft resolutions at 21 meetings between October 26 and November 26. Eight of the drafts

were introduced in Committee on November 15, and another on November 21.

All of the resolutions forwarded by Committee Three were adopted by the plenary Assembly on December 14; the resolution forwarded by Committee Two was adopted on December 17.

The first, introduced by Argentina on behalf of 43 other sponsors, was entitled "International Research and Training Institute for the Advancement of Women." This resolution highlighted the works of the Institute on development issues and urged member states to contribute to the Institute. (Resolution 39/122.)

Bulgaria, subsequently joined by 12 other sponsors, introduced a draft concerning "The role of women in society." The draft appealed to governments, international organizations, and non-governmental organizations to recognize not only the importance of the many roles women play in society but to create conditions for their full and equal participation. (Resolution 39/123.) Speaking in the plenary Assembly on December 14, the U.S. Representative, Mrs. Guadalupe Quintanilla, explained that the United States was only able to join in the consensus adoption of the resolution because the term "equal pay for work of equal value" was not regarded as equivalent to the concept of comparable worth, which the U.S. Government does not support. In addition, she described some basic concepts underlying maturity and childcare provisions and equal employment opportunities in the United States.

A draft resolution entitled "Participation of women in promoting international peace and cooperation" was introduced by the German Democratic Republic on behalf of 20 cosponsors. This dealt with the implementation of the Declaration on the Participation of Women in Promoting International Peace and Cooperation which had been adopted as resolution 37/63 in December 1982. It invited all governments to publicize and implement the provisions of the Declaration and requested the Commission on the Status of Women as Preparatory Body for the 1985 World Conference to consider what measures might be necessary to implement the Declaration in the context of women to the year 2000. (Resolution 39/124.)

One of the most important steps taken by the 39th General Assembly in this field was to provide for the future of the Voluntary Fund for the UN Decade for Women (VFDW), whose original mandate ran to the end of 1985. In a draft introduced on behalf of 26 cosponsors by Norway, it was decided to continue the Fund as a separate entity in autonomous association with the UN Development Program and to maintain its location in New York. Formerly the VFDW fell under the supervision of the Center for Social Development and Humanitarian Affairs in Vienna and the Department for International Economic and Social Affairs in New York. This action



has strong U.S. support. The resolution also called for further contributions and asked that a new name be found to reflect its new status. (Resolution 39/125.)

"Improvement of the situation of women in rural areas" was the draft introduced by Mongolia and 16 other countries. It noted with appreciation the interregional seminar on national experience relating to the improvement of the situation of women in rural areas, held at Vienna from September 17 to 28, 1984. It requested that a report on the seminar be presented at the 40th General Assembly along with any comments made at the 1985 World Conference. (Resolution 39/126.)

The United States voted against the draft "Senior women's program officer posts at the regional commissions" which had been sponsored by 17 countries and introduced by Jamaica. This resolution, a followup to General Assembly resolutions 33/188, 35/137, and 37/62, once again requested the Secretariat to appoint senior program officers at the regional commissions to facilitate the implementation of the goals of the UN Decade for Women and beyond. This draft was approved in Committee by a vote of 124 to 1 (U.S.), with 10 abstentions and adopted by a vote of 135 to 1 (U.S.), with 8 abstentions in the plenary Assembly. (Resolution 39/127.)

Speaking in explanation of vote, the U.S. Representative in the Third Committee, Margaret C. Jones, stated that the United States had long supported the concept of such positions and very much regretted that the Secretariat had not carried out repeated requests of the General Assembly over 5 years to establish such posts through redeployment. The wording of the resolution, however, was such as to provide the Secretariat with a blank check to seek additional positions which the United States opposed in general on financial grounds. Moreover, such a provision seemed to reward recalcitrant portions of the Secretariat which had not carried out the repeated requests of the General Assembly. For those reasons, the United States voted against the resolution.

A resolution, cosponsored by the United States and 37 others, was introduced by Australia. It was entitled "Integration of women in all aspects of development." Among other things, it urged the specialized agencies, regional commissions, and other bodies of the UN organization to develop and implement comprehensive policies regarding the concerns of women; endorsed the request of ECOSOC in its resolution 1984/12 that reports on developments concerning the advancement of women be made to the Commission on the Status of Women at each session; invited that Commission to continue to include a specific agenda item for that purpose; and reaffirmed its resolution of 36/127 of December 1981, which provided for the consideration of issues relating to the integration of women in

development in all the relevant organs of the General Assembly. (Resolution 39/128.)

On November 15, Egypt, on behalf of the Group of 77, introduced a draft resolution entitled "Preparations for the World Conference to Review and Appraise the Achievements of the UN Decade for Women." The draft stressed the importance of the Conference; reiterated its appreciation to the Government of Kenya for its offer to host the Conference in Nairobi; and urged all member states to take maximum measures to assure the success of the Conference. (Resolution 39/129.)

Finally, in the Third Committee, Sweden, subsequently joined by 36 other countries, introduced a draft entitled "Convention on the Elimination of All Forms of Discrimination against Women." As it had done on ECOSOC resolution 1984/8, the United States voted against this draft in Committee by a roll-call vote of 124 to 1 (U.S.), with 4 abstentions, and in the plenary Assembly by a roll-call vote of 142 to 1 (U.S.), with 1 abstention. (Resolution 39/130.)

Speaking in Committee before the vote, Miss Jones said that her government would vote against the draft because of the financial implications of the provision approving summary records for the Committee on the Elimination of All Forms of Discrimination against Women. She said that it was vital to control the volume of documentation generated within the United Nations.

On November 28, in the Second Committee, Norway, on behalf of 19 cosponsors, introduced a draft resolution, "World survey on the role of women in development." On December 6 the Vice Chairman of the Committee introduced another draft resolution on the basis of informed consultations held on the original draft. This draft was supported by the United States. It requested that the final version of the survey should be considered by the 40th General Assembly together with any comments on the survey and related decisions taken at the 1985 World Conference to Review and Appraise the Achievements of the UN Decade for Women. (Resolution 39/172.) The resolution was approved without a vote in Committee and adopted in the same manner in the General Assembly on December 17.

## **SPECIALIZED AGENCIES AND THE IAEA**

### **World Bank Group**

The International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), and the International Finance Corporation (IFC) together form the World Bank Group. As a member of the UN system and as a development finance institution, the World Bank works with the UN and its Bank

Group. As a member of the UN system and as a development finance institution, the World Bank works with the UN and its various specialized agencies in a wide variety of activities. During the Bank Group's fiscal year of 1984, ending June 30, 1984, Antigua and Barbuda, as well as Malta, joined the IBRD, bringing Bank membership to 146. Applications were pending for Mozambique and St. Christopher and Nevis at year's end. IDA participation remained constant at 131, with membership pending for Mozambique and Portugal. The Gambia entered the IFC during the year, bringing membership to 125 countries.

The Bank makes loans for sound projects to stimulate economic growth in its member countries by providing funds either at near-commercial terms or at highly concessional terms. Traditionally, the Bank has financed a variety of capital infrastructure projects, but in 1980 the Bank inaugurated a program of structural adjustment lending to support specific policy changes and institutional reforms in developing countries. Structural adjustment and program loans accounted for 8.2% of total IBRD/IDA lending in fiscal year 1984.

## LENDING PROGRAM

The IBRD approved \$11.949 billion in loans for fiscal year 1984 to support 129 projects in 43 countries, a 7.3% increase over fiscal year 1983. IDA credits amounted to \$3.575 billion, a rise of 7% from the previous year, for 106 projects in 43 countries.

IBRD lending was slightly less than planned because the problems faced by borrowers and the requirements of prudent financial management limited IBRD operations. The stretchout of the IDA VI replenishment from 3 to 4 years and the implementation of an optional "Special Contributions" to sustain IDA's commitment authority in the fourth year were determined in 1984. These special contributions were provided by 32 donors giving more than \$1.8 billion. The United States did not contribute.

IDA credits are concentrated in the poorest countries, with an annual per capita income below \$790 (1983 dollars). In the 5-year fiscal period 1980-1984, 90% of IDA lending went to countries which currently have an annual per capita income below \$400 (1983 dollars).

Total IBRD and IDA commitments in fiscal year 1984 had the following sectoral composition:



Sector	U.S. Dollars (millions)	Dollar Percentage (rounded)
Agriculture and Rural Development	3,464.1	22.3
Development Finance Companies	963.3	6.2
Education	693.8	4.5
Energy		
Oil, Gas, and Coal	864.4	5.6
Power	2,651.3	17.1
Industry	554.6	3.6
Nonproject	1,377.9	8.9
Population, Health, and Nutrition	243.0	1.6
Small-Scale Enterprises	672.6	4.3
Technical Assistance	135.0	0.9
Telecommunications	166.5	1.0
Transportation	2,596.9	16.7
Urban Development	500.0	3.2
Water Supply and Sewage	640.8	4.1
<b>TOTAL</b>	<b>15,524.2</b>	<b>100.00</b>

Projects approved by the IBRD and IDA during fiscal year 1984 had the following regional distribution:

Region	Number	U.S. Dollars (millions)	Dollar Percentage
Eastern Africa	40	1,186.6	7.6
Western Africa	37	1,181.7	7.6
East Asia and Pacific	35	3,302.0	21.3
South Asia	44	3,700.6	23.8
Europe, Middle East, and North Africa	43	3,125.8	20.1
Latin America and Caribbean	36	3,027.5	19.5
<b>TOTAL</b>	<b>235</b>	<b>15,524.2</b>	<b>100.00</b>

Actual disbursements for fiscal year 1984 on IBRD and IDA loans were \$8.6 billion and \$2.5 billion, respectively. The total of \$11 billion was an increase of nearly 18% over the previous year. IDA disbursements, however, were down by \$72 million due in part to delays in negotiating a new replenishment and in the United States funding its commitments.

## COFINANCING

The Bank cofinances projects with official, export credit, and private lenders. A key objective of the Bank's cofinancing efforts is to help reinstate the inflow of commercial funds on the longer maturities

necessary for development projects. Projects costing \$21.7 billion were supported in fiscal year 1984 by 42% of total operations, or 98 IBRD and IDA projects (\$4.05 billion). This leverages the Bank's funds in a ratio of five to one. A pilot program introduced in fiscal year 1983 (B-loans) was responsible for \$1.1 billion (nine projects) in private cofinancing. This program will be reviewed in fiscal year 1985.

The Bank established a Central Bank Facility, designed to reverse the declining relative trend in the Bank's borrowing from official sources. It also authorized U.S. dollar borrowings of up to \$400 million in floating rate notes. Borrowings for fiscal year 1984 were over \$9.8 billion, a third in the United States.

During fiscal year 1984 the Bank obtained a selective capital increase (SCI) in IBRD shares of \$8.4 billion and a seventh replenishment of \$9 billion for IDA resources for 1985-87. Many donors expressed concern that the inability to negotiate an IDA VII above \$9 billion would unduly hamper the IDA in efforts to assist and promote economic development in the poorest countries of the world. As part of negotiations for the SCI, Japan became the second largest shareholder in the IBRD following the United States.

## OTHER OPERATIONS

The Bank made an exceptional contribution of \$2 million to the World Food Program to accelerate the delivery of emergency food-aid supplies to member countries in sub-Saharan Africa.

The Bank began a review of the Special Action Program (SAP), to be concluded in fiscal year 1985. The SAP includes expanded structural adjustment lending, sector support, and financing an increased share of projects costs.

IBRD borrowings, which are the principal source of funds for its lending operations, reached \$9.8 billion, down from \$10.3 in fiscal year 1983. The largest operations were in the U.S., Japanese, German, and Swiss currencies.

The Bank continued to explore the establishment of a Multilateral Investment Guarantee Authority (MIGA) which would provide political risk insurance for investments in developing countries. Discussions continue.

## INTERNATIONAL FINANCE CORPORATION

The IFC assists the economic development of its borrowing member countries by making loans to, and equity investments in, productive enterprises in the private sector; by bringing together investment opportunities, domestic and foreign private capital, and experienced management; and by helping to develop local and

regional capital markets and promoting privately owned development finance viability and on their useful contribution to economic development.

The IFC-approved investments of \$696 million in 62 projects in 37 countries, but disbursements continue to lag at \$381 million. Although the number of projects increased, the dollar value declined by \$150 million, or 17.7%. Of the total, \$56 million was for equity investments in 35 companies. Projects in countries with a per capita income of less than \$805 per annum numbered 24, and of these, 16 were in sub-Saharan Africa.

The IFC-approved steps to implement a \$650 million increase in the Corporation's capital which would support a new 5-year program (1985-89). This program would concentrate increasingly on corporate restructuring for businesses with financial difficulties; assistance for sub-Saharan Africa; domestic financial markets and institutions; and high-priority sectors, particularly oil exploration.

Although losses decreased in fiscal year 1984, the IFC determined that it had been prudent, given international financial conditions, to increase its reserves against losses to 9% of its portfolio.

## **International Monetary Fund**

The success of adjustment programs in reducing external account imbalances throughout the developing world in 1984 was reflected in sharply reduced use of IMF resources by member countries. Drawings by Fund members in 1984 declined by 42% to \$7.5 billion, after having peaked at \$12.9 billion in the preceding year. Still, drawings in 1984 were the third largest in the Fund's history.

New commitments under the Fund's conditional facilities (standby and extended arrangements) eased substantially in 1984 as cancellations and expirations of existing programs more than offset the new credit commitments. As a result, new net commitments in 1984 totaled a negative \$0.1 billion, compared with \$10.9 billion in 1983. At the end of the year, 29 standby and 4 extended arrangements were in effect between the Fund and its members, a slight reduction from the 33 standby and 4 extended arrangements that were in effect at the end of 1983.

All of the \$7.5 billion was drawn by developing countries, and the dominant share of these drawings (88%) was made in support of IMF-approved economic adjustment programs. Such adjustment programs are developed jointly by the member country and the IMF in an effort to promote noninflationary real growth and a sustainable balance-of-payments position over the medium term. Programs typically emphasize a balanced fiscal and monetary policy mix, maintenance of appropriate interest and exchange rates, and increased reliance on



market forces. The Fund has provided growing financial support for members' efforts to adjust to medium-term structural imbalances in their economies. Consequently, in 1984, for the first time, drawings under extended arrangements (\$3.4 billion) exceeded those under standby arrangements (\$3.2 billion).

Drawings under the special-purpose Compensatory Financing Facility, which is available to members facing payments difficulties resulting from temporary shortfalls in their export earnings or surges in food import costs that are due largely to conditions beyond their control, amounted to \$0.8 billion in 1984. These drawings represented a sharp decline from drawings in each of the previous 2 years, which averaged \$2.8 billion, as the renewed economic growth in the United States and other industrial countries greatly increased demand for LDC exports. Drawings under the Compensatory Financing Facility accounted for only 11% of total drawings in 1984, compared with nearly 25% in 1983 and a peak of 37% in 1982.

## ACCESS LIMITS

As a result of the IMF's annual review of limits on members' access to IMF resources, it was decided to reduce access limits for 1985. Under the new limits, members' drawings under standby and/or extended arrangements may not exceed 95% or 115% of quota annually, and 280% or 345% of quota over a 3-year period, provided that cumulative outstanding obligations do not exceed 408% or 450% of quota. The higher limits (115/345/450%) may apply in cases where a member has a serious balance-of-payments problem and is making a strong adjustment effort. The IMF Interim Committee also affirmed that it does not regard these access limits as targets or norms. Furthermore, the IMF has the flexibility to approve standby or extended arrangements for amounts above these access limits in exceptional circumstances. In practice, access to IMF resources in recent Fund programs has been normally much less than the access limits; for example, access under the 21 new IMF programs during 1984 averaged only 57% of quota annually. Of these 21 countries with new Fund programs, 17 had annual access within a range of 35% to 61% of quota; 3 had access in the 80% to 90% range; and only 1 country (Argentina) had access at the limit of 102%. The IMF is expected to continue its long-standing policy of providing access to its financing on a case-by-case basis according to a country's balance-of-payments needs and the strength of its adjustment program. Although these access limits for 1985 represent a slight decrease from the previous limits (102% or 125%, 306% or 375%, and 403% or 500% of quota, respectively), the modest reduction is not expected to affect materially the Fund's ability to provide appropriate amounts of temporary balance-of-payments support to member countries.

## MEMBERSHIP

Most developed and developing countries belong to the IMF. The Soviet Union and several East European countries, however, are not members. The People's Republic of Mozambique and St. Christopher and Nevis joined the IMF during 1984, bringing total membership to 148 countries.

## International Fund for Agricultural Development

The International Fund for Agricultural Development (IFAD) was established in 1977 with strong leadership from the United States. IFAD's mandate is to increase food production in the developing countries by focusing on small farmers and the landless poor. IFAD is the only international financial institution financed by roughly equal contributions from the OPEC and OECD nations. Furthermore, IFAD has a unique governing structure in which the three groups of members—OECD, OPEC and the non-OPEC developing nations—have an equal number of votes.

As of the end of 1984, the total IFAD portfolio covered 160 projects in 84 countries. IFAD estimates that the expected addition to agricultural production resulting from all current IFAD projects is 20 million tons. It has been further estimated that current projects will benefit about 40 million people. In most projects, average per capita incomes of target groups are one-third or less of the already low national per capita incomes. In recognition of the current food crisis in Africa, and the important role that IFAD can play in stimulating agricultural production, 36% of IFAD's lending is currently devoted to that region.

Donors pledged \$1.07 billion to IFAD's first replenishment (calendar year 1981–1983, with an extension to 1984) with a burden-sharing split of 42% (OPEC) to 58% (OECD). In 1984 the United States completed payment of its \$180 million pledge to the first replenishment, with \$90 million authorized by the 1985 continuing resolution.

Three sessions of consultations on the second replenishment were held in 1984 without achieving an agreement. In February 1984 the United States announced negotiating authority, which provided for a prospective contribution of up to \$150 million over 3 years, or 15% of a \$1 billion replenishment total, assuming U.S. negotiating objectives—a 50% OECD, 50% OPEC burden-sharing split, progress on a revised sublending interest rate and lending policy, and continued restraint in IFAD's staff size—were met. At the fifth session of negotiations in October 1984, the United States announced that it was prepared to accept a maintenance of the current burden-sharing ratio (42% OPEC; 58% OECD) in a second replenishment and a U.S. share



of 17% (as in the first replenishment). The other criteria for U.S. participation in a second replenishment (i.e., appropriate policies on sublending interest rates, increased cofinancing, and constrained staff size) have largely been met.

Because of difficulties in arriving at a mutually satisfactory OPEC/OECD burden-sharing split, it had not been possible to agree on a second IFAD replenishment by the end of 1984. OPEC donors stated that they wished to replenish IFAD without reference to burden sharing. On the other hand, the United States and its OECD partners insisted on contributions at roughly equal levels based on the original OECD and OPEC understanding, whereby OPEC countries stated that they would provide contributions "as close as possible" to those of the OECD donors. Burden sharing at levels of rough parity has always been an essential feature of IFAD for the United States and is reflected in IFAD's governing structure.

At the urging of the United States and other donors, IFAD undertook a mid-term evaluation of 14 of its projects in 1984. The results of these evaluations were reviewed by former U.S. Comptroller General Elmer Staats, who concluded that these projects are well managed, have strong food production potential, and are addressing the needs of IFAD's small farmer and landless poor target group. AID also reviewed IFAD's project performance in 1984, concluding that IFAD is making a significant contribution to improving the economic conditions of the rural poor in developing countries.

## **Food and Agriculture Organization**

The Food and Agriculture Organization of the United Nations (FAO), one of the largest UN specialized agencies, is the lead international organization in the fields of agriculture, fisheries, and forestry. FAO's agriculture program attempts to bring about a sustained global improvement in nutrition levels, food security, and rural incomes, especially for the disadvantaged, through increasing rural productivity. Its fisheries program promotes improved management and utilization of the world's fishery resources, particularly by helping developing countries to increase their capacity to manage their marine and inland fisheries. The FAO forestry program, the smallest of the three, assists member countries to balance the growing demand for forest goods and services and increasing pressures of agriculture on forest land against environmental needs. These FAO goals are consistent with the aims of U.S. bilateral development assistance programs.

FAO has a biennial schedule which reflects its 2-year budget and programming cycle. In even-numbered years, such as 1984, there are regional conferences in each of the organization's five geographical



regions and a fall session of the Council, the organization's interim governing body. In odd-numbered years, the Council meets in the spring to prepare for the biennial meeting of the Conference in the fall, attended by all members. In those years, the Council also meets immediately preceding and following the Conference session. FAO is unusual among specialized agencies in that the Soviet Union does not belong to it.

## **REGIONAL CONFERENCES**

In 1984 the United States attended the FAO Regional Conference for Asia and the Pacific as a member and participated as an observer in the regional conferences for Africa, Europe, Latin America and the Caribbean, and the Near East. These meetings allowed FAO members to review the organization's activities within their region and to provide guidance to the FAO secretariat in preparing for the next meeting of the FAO Conference. They also provided an opportunity for both formal and informal exchanges of views among the members and observers on issues of rural development and agriculture. The conferences considered questions of education and training for agricultural and rural development, a proposed FAO study on agricultural pricing policies, implementation of the FAO Program of Work and Budget for 1984-1985 within their regions, and other issues. They were generally technical and non-political in character. The Harare Declaration adopted at the FAO Regional Conference for Africa was notable for its recognition that the governments of the developing countries bear the primary responsibility for fostering their countries' agricultural development.

Given U.S. membership in the Asia and Pacific region, the U.S. Delegation to that regional conference was particularly active. It supported a secretariat recommendation for the abolition of the little-used regional farm management commission. Other members were unwilling to agree to the recommendation, however, and the conference deferred the issue until its next session in 1986.

## **86th COUNCIL**

The 86th meeting of the FAO Council in November was more contentious than its immediate predecessors. A large measure of the attention of Council members and of the FAO secretariat was directed to the question of relations between FAO and the World Food Program (WFP), although the issue was not on the meeting's agenda, and references to it were vigorously opposed by some developing countries. The governing body of the World Food Program, the Committee on Food Aid Policies and Programs (CFA), had recently considered a UN Joint Inspection Unit report on personnel problems in the WFP which

recommended changes in the constitutional arrangements which establish the relationship between the two organizations. Immediately prior to the Council session, the UN Secretary General and the FAO Director General announced the establishment of a Joint UN/FAO Task Force to examine those relationships. The United States and other developed countries were only partially successful in their attempts to stress the importance of full WFP participation in the work of the Task Force and the necessity that its report be made in time for the next session of the CFA (in May 1985) to consider it. They were, however, instrumental in reaching an acceptable compromise concerning the handling of FAO's adverse comments on the WFP accounts for 1982-1983.

Despite the preoccupation with FAO-WFP relations, the Council considered a number of other issues. It gave considerable attention to the current food emergency situation in Africa and commended the FAO Director General's efforts to respond to the situation. It supported his proposals to strengthen further the FAO Global Information and Early Warning System and to reprogram up to \$5 million within the 1984-1985 FAO budget to support rehabilitation efforts in Africa. The Council also approved a resolution designating 1985 as the Year of the Forest in FAO. It urged other governments to consider following the U.S. lead in prepositioning foodstocks in areas subject to food emergencies. In its consideration of financial matters, the Council endorsed the Finance Committee's view that countries which are late in paying their assessments because of the dates of their fiscal years should adjust the timing of their appropriation requests to permit timely payment. It considered the accounts of the Regular Program, the UNDP, and the WFP for 1982-1983 and recommended a draft resolution for adoption by the Conference on them. As noted above, this action involved compromising conflicting views about the handling of the report on the WFP accounts.

## **WORLD FOOD PROGRAM**

Since it began operations in 1963, the World Food Program (WFP), sponsored jointly by the United Nations and the Food and Agriculture Organization of the United Nations, has served as the principal vehicle for multilateral food aid within the UN system. WFP distributes commodities supplied by donor countries to support development projects (e.g., food-for-work projects) designed to produce social and economic progress, and as emergency food assistance responding to natural and man-made disasters. In 1984 development projects made up approximately 75% of the total WFP program and emergency projects the remaining 25%. With U.S. encouragement, the concentration of WFP activities in low-income, food-deficit countries

has increased in the last decade from 65% to over 80% of WFP regular programs.

The Committee on Food Aid Policies and Programs (CFA) is the governing body of WFP. The CFA is composed of 30 members, elected for 3-year terms, 10 new members being elected annually to replace the 10 retiring members. ECOSOC elects half of these (5 annually), and the other 5 are elected by the FAO Council. The United States (as the largest donor) and some other major donors are regularly re-elected to the CFA.

The CFA meets twice a year to review WFP projects and discuss WFP program issues. WFP operates on a 2-year cycle of budgeting, programming, and planning purposes. Donors pledge resources to WFP for 2-year periods, which, however, do not correspond to the budget biennia. The first half of the 1984–1985 budget biennium was 1984, but it was the second half of the 1983–1984 pledging period. By December 31, 1984, WFP donors had pledged \$981.7 million to the 1983–1984 biennium. The United States contributed \$250 million, of which \$188 was donated in commodities, \$59 million was designated for freight costs, and \$3 million was contributed for administrative costs. James Ingram, the Executive Director of WFP, announced a 1985–1986 pledging target of \$1.35 billion in March 1984. The United States announced at the 18th Conference that our contribution for the 1985–1986 biennium would be again \$250 million. Although the United States did not make a specific pledge to the International Emergency Food Reserve (administered by WFP), it did indicate continuation of the support for that project which it had provided in the past.

The 17th CFA session was held in Rome May 28–June 8, 1984. CFA members approved 34 development projects, with a total WFP cost of \$557.7 million and approved increases for 13 ongoing projects, representing an additional \$55.2 million. The Executive Director reported that acting under a standing delegation of authority by the CFA, he had approved 17 new or expanded projects totaling \$29.3 million during the last 6 months of 1983. He also reported that during 1983, 78 (43 new and 35 expansions) emergency operations were approved in 38 countries. The United States joined in the consensus approval of all new projects, with the exception of a \$35.1 million dairy development project for Cuba. The United States spoke against the project, pointing out the high per capita Gross National Product of Cuba and stressing the far more pressing need for WFP resources in the least developed countries, particularly in Africa.

At the 17th session, the United States was especially interested in WFP's plans to update the project cycle procedures. The United States supported the WFP initiative, expressing particular support for plans to integrate food aid projects with national development plans and



priorities, and urged the earliest possible implementation of the new project cycle.

The proceedings of the 17th session were marred by tension between the FAO and WFP over the extent of the autonomy which is or should be enjoyed by WFP. In an unprecedented move, the FAO Director General submitted separate FAO papers on the agenda items covering cash reserves, emergency criteria, and the project cycle. The U.S. Delegate stated that only one paper should be prepared per agenda item in the future, but indicated that for this meeting it intended to consider the substance of all ideas presented, with no prejudice for either side.

At the 18th session, held in Rome October 29–November 7, 1984, CFA member nations approved 22 projects valued at \$216 million as well as budget increases of \$24 million. WFP's total development commitments for 1984 rose to \$950 million as compared with \$696 million in 1983. Mr. Ingram, in his opening statement, described the new strains being put on WFP cash resources as a result of the African food emergency and highlighted WFP's increasingly important role in logistical coordination of external food aid.

The contention between FAO and WFP continued at the 18th session. On the agenda was a report of the Joint Inspection Unit of the United Nations by Maurice Bertrand which described WFP problems in developing an effective personnel policy and offered solutions altering the WFP/FAO relationship. In response to the report, and the evident problems in the FAO/WFP relationship, the UN Secretary General and the FAO Director General announced the creation of a joint task force charged with examining administrative, personnel, and financial relationships between the FAO and WFP. The CFA requested that the WFP be fully included in deliberations of the task force and that the report be prepared in time for the 18th session in May 1985. The U.S. Ambassador to the UN Agencies for Food and Agriculture, Ambassador Millicent Fenwick, expressed support for the establishment of the UN/FAO task force, and indicated the U.S. desire to see measures taken within the existing constitutional framework as soon as possible. The United States also urged the WFP and FAO not to let bureaucratic squabbles distract them from the urgent need to feed the hungry and to foster agricultural development.

The WFP 1984 Financial Reports were discussed at length at the 18th session. The representation made by FAO in certifying the WFP accounts raised questions concerning accounting procedures at WFP. The Committee concurred with the conclusions of the External Auditor and the UN Advisory Committee on Administrative and Budgetary Questions (ACABQ) that work needed to be done on accounting procedures but discounted, as did the United States, any

question of malfeasance. The Committee requested a report be delivered at the 20th session covering compliance with the External Auditor's suggestions for improving accounting procedures.

## **UN Educational, Scientific and Cultural Organization**

The United States withdrew from UNESCO on December 31, 1984. The problems that prompted our withdrawal included: inadequate reflection of minority group views, particularly those of the West; endemic hostility to the institutions of a free society, e.g., a free press, free markets, and, above all, individual human rights; widespread mismanagement; and excessive budget growth.

Following the announcement of its intention to withdraw on December 23, 1983, the United States established a panel of eminent persons in UNESCO's fields of competence to monitor change in UNESCO during the year leading up to its actual withdrawal, 1984. The Monitoring Panel reported to the Secretary of State in December 1984 that, in its view, insufficient change had taken place in UNESCO to warrant reconsideration of the decision to withdraw.

Despite its withdrawal from the parent body, the United States will continue to be able to participate in some UNESCO activities where membership is not determined solely by a country's status in UNESCO. These include the Intergovernmental Oceanographic Commission and the Intergovernmental Committee of the Universal Copyright Convention.

UNESCO's Executive Board held two sessions in 1984: the 119th from May 9–May 23, and the 120th from September 12–October 5.

The 119th session took up the question of reform. During the session, the Director General appointed five temporary working groups on reform, and the Board itself established a Temporary Committee on Reform. These groups met during the summer of 1984. The Director General invited the views of the member states on the preparation on UNESCO's Draft Program and Budget for 1986–87. The Western Information Group (IG) met regularly during 1984 to coordinate reform strategies.

The results of this reform process were reflected in the recommendations of the 120th Executive Board session. Although it was apparent that UNESCO had made an effort to reform in 1984, the United States concluded that the most serious U.S. concerns were not addressed and the modest reforms that were agreed upon lacked implementing mechanisms.

### **OVERVIEW OF U.S. REFORM EFFORTS**

During 1984, the United States made an extraordinary effort to secure reform of the organization. Secretary of State Shultz outlined

our serious concerns about the organization in a December 29, 1983 letter to the Director General. Starting early in the new year, we launched a series of initiatives to gain improvements in all of the areas we had criticized. The United States was instrumental in establishing the Western Information Group on Reform, an *ad hoc* group of key Western member states, which sent the Director General a strong letter on March 15 presenting common Western views on areas needing improvement. The Group became the Western vehicle for elaborating reform proposals to be fed into the Executive Board's Temporary Committee on Reform (TC), established at the 119th session of the Board. Alongside these activities in Paris, senior Department of State officials undertook extensive consultations in capitals and in Washington to further UNESCO reform.

The United States submitted a number of specific reform proposals during the year. The first proposals, comprising 11 items on program, management, and budget issues, were presented to the Western Group in March and were reflected in the Group's letter to the Director General. In April, the U.S. proposals were incorporated in a Western reform package. A number of these proposals were discussed at the 119th Executive Board session in the spring. The proposals themselves and the Western statements made at that session constituted the most significant input to the TC. The United States wrote to the Director General again on July 23, making 13 specific reform proposals refined from previous U.S. ideas. The letter also contained detailed suggestions for the Draft Program and Budget for 1986-1987 in response to the Director General's request for advice on the preparation of this document.

### Protection of Minority Interests

One major objective of the United States during 1984 was to devise a way to protect minority interests in UNESCO by reducing or eliminating the possibility that major decisions could be taken against the will of any geographic group, including the Western Group.

At the 120th Executive Board session, the United States formulated two proposals in this area. The first called for the Board to entrust complex program items to a sub-body, the Special Committee of the Board, at the request of five or more members, and, in the absence of agreement, for any such items to be postponed to the Board's next session.

The second proposal called for Executive Board approval of the biennial program and budget recommendation to the General Conference by at least 85% of the Board's membership.

The Temporary Committee on Reform did not recommend either proposal, and did not take up another U.S. suggestion that the Drafting and Negotiating Group of the General Conference should



operate on the basis of unanimity among geographic groups. In view of the substantial criticism of the proposals, the United States did not formally submit them to the Executive Board.

### **Excessive Politicization**

The United States criticized UNESCO's programs for their politicization, statist orientation, and fragmentation. Prime examples of program politicization are the propagation of simplistic and unbalanced views on disarmament; uncritical support for so-called national liberation movements; selectivity in attacking discrimination, the promotion of collective rights—rights which accrue to peoples or governments rather than individuals; and the support of programs that are inimical to the values of a free press. The United States emphasized the need to stress practical activities as opposed to studies and theorizing, to improve review and assessment techniques, and to include program options so that member states could make their own choices.

At the 119th Executive Board, the United States introduced a proposal calling for program concentration in UNESCO's core areas. The proposal stressed the need for UNESCO to return to its original purposes of promoting peace through international cooperation in education, science, culture, and communication and to delete programs and themes that are a source of contention among groups of member states.

In its response to the Director General's call for advice on the Draft Program and Budget for 1986–87, the United States called on UNESCO to streamline its programs. Apart from the important budgetary considerations, the United States had been concerned that a steady accretion of programs was unduly expanding UNESCO's activities to the point where it was difficult to keep fully informed, or even to be aware, of all the organization was doing. In this connection, the United States reiterated its belief that UNESCO should undertake only those activities in which it could play a unique and necessary role and to which all of the member states were prepared to give their support and cooperation. The United States recommended that the Director General rank order subprograms in his draft presentation to the Executive Board, using as a basis for prioritization his prior consultations with the member states and views expressed at the preceding General Conference session.

Program issues were addressed at the 119th Executive Board session in an omnibus resolution on the draft Program and Budget for 1986–1987 and at the 120th session in a series of Temporary Committee recommendations.

The Executive Board's 119th session considered but did not accept the U.S. proposal for a return to "core areas."

The 120th Executive Board's recommendations to the Director General on the 1986-1987 Draft Program and Budget are set forth in an omnibus resolution that includes a set of broad guidelines. These guidelines represented some progress from the U.S. standpoint but failed to address the problems of program orientation and politicization which the United States found objectionable.

### **Strengthening the Authority of UNESCO's Governing Bodies**

Another U.S. objective was to reassert the authority of UNESCO's member states *vis-à-vis* the Secretariat through a revitalized General Conference and Executive Board. U.S. reform proposals in this area were designed to enable the membership to call the Secretariat to account for its operations and decisionmaking.

At the 120th Executive Board Session, the Temporary Committee made 19 recommendations on improving the General Conference and 17 on the Executive Board. One recommendation, for example, invited the Director General to offer a choice of program proposals for the General Conference to consider as it reviewed the Draft Program and Budget document. The Director General introduced this innovation, on a limited basis, with the Draft submitted to the 120th Executive Board Session. Such limited efforts, however, did not go far enough to assure the United States that the member states had regained their proper institutional role in the organization.

### **Management**

Other areas of concern to the United States were personnel management and recruitment, program evaluation, and decentralization. In the personnel area, we urged the speeding up of the recruitment process and a reduction in the use of consultancies for work that could be done by regular UNESCO employees. We also called for an improved evaluation function and promotion of more initiative and adaptation at the regional and local levels.

At the 120th Executive Board session, the United States sponsored three draft resolutions on management reform. Among them was a proposal requesting the Joint Inspection Unit of the United Nations to study whether decentralization might improve the effectiveness of the organization, and requesting the Director General to submit a plan of action on the implementation of the study to the 121st Executive Board session. The second noted the Director General's announced intention to strengthen the Central Evaluation Unit and proposed specific procedures under which the Unit should operate. The third draft resolution requested that the Director General, having announced his intention to conduct a study on types

and duration of personnel appointments, focus on a solution to the problem of the repeated renewal of fixed-term contracts.

At the 120th Executive Board Session, the Director General recommended speeding up the regular recruitment process; proposed a study of the types and duration of temporary appointments; and defended the organization's use of consultants while indicating he would try to reduce their number.

The Temporary Committee recommendations and the Director General's initiatives were approved at the 120th Executive Board Session; the U.S.-sponsored draft resolution on evaluation, fixed term appointments, and the JIU study on decentralization were deferred, without debate, to the next Executive Board session.

The United States viewed the actions proposed by the Director General and the Temporary Committee as imprecise, lacking a sense of urgency, and, with no mechanism for implementation, unlikely to last.

## **Budget**

Another U.S. objective during 1984, shared by all of the Western contributors, was a recommendation of zero real budget growth and significant absorption of non-discretionary cost increases in UNESCO's 1986-1987 Program and Budget.

Although not a reform issue, the United States also tried to ensure the prompt return (in early 1984) of monies owed member states out of the 1981-1983 Part VIII Currency Fluctuation Account accumulation.

The 120th Executive Board Session approved a consensus resolution calling on the Director General to prepare the Draft 1986-1987 Program and Budget document on the basis of the 1984-1985 budget ceiling. If carried through, this resolution will result in a 1986-1987 biennial budget with no real growth over the preceding biennial budget. However, it also included a paragraph requesting the Director General to present to the next session of the Executive Board a separate list of possible projects in the least developed countries, to a maximum level of 2% of the 1984-1985 budget base, without specifying whether such projects would be funded, or if so, how.

The United Kingdom, supported by the United States, tried to amend the proposed appropriation resolution to advocate future prompt returns of accumulated Part VIII currency fluctuation gains. The Executive Board decided, instead, to request a study by the Director General.



## SECTORAL REVIEW

### Education

With a 1984-1985 regular budget of \$86.8 million, or approximately 38% of the total Approved Program and Budget, education is UNESCO's largest sector. The objectives of the education program are to promote equality of educational opportunity, combat illiteracy, improve the quality of education, and foster international understanding. In addition, this sector focuses on the educational aspects of such major social concerns as improving the status of women, promoting human rights, combating drug abuse, and developing physical education.

Although the U.S. Delegation to the 22nd General Conference session supported the program in general, it did so with reservations about many activities of little value or so small that they could make no impact. Three programs were adopted that contained elements adverse to U.S. interests. These were support for national liberation movements, education in the disarmament field, and education related to collective rights of peoples.

The United States participated in the 39th Session of the International Conference on Education sponsored by UNESCO and the International Bureau of Education (IBE), October 16-25, in Geneva. Conference discussions centered on the theme, "Education for All in the New Scientific and Technical Environment and Taking Into Account Disadvantaged Groups," and a special sub-theme, "Universalization and Renewal of Primary Education in the Perspective of an Appropriate Introduction to Science and Technology." The Conference adopted an international recommendation to member states on the latter. The United States participated on the drafting committee and took the lead in defeating politicized amendments. A highlight of the Conference was an exhibit on educational technology supplied by the U.S. private sector.

As an elected member of the 24-member IBE governing body, the United States participated in the 24th and 25th sessions of the IBE Council, October 16-25. Decisions were made at these sessions on the IBE's program of work for 1984, arrangements for the 39th Session of the International Conference on Education, studies to be undertaken, and next steps in the development of the Internal Education Information Network.

As a member of the UNESCO Intergovernmental Committee on Physical Education and Sport, the United States attended the Fourth Session of this 30-member Committee, October 9-16, in Paris. Recommendations were made on the inclusion of physical education in the draft Program and Budget for 1986-87, the future of the Voluntary International Fund for the Development of Principal

Evaluation, and the first World Week for Physical Education and Sport. Over U.S. objections, the Committee recommended to the 23rd UNESCO General Conference session in 1985 that it approve the convening of a second international conference of ministers and senior officials responsible for physical education and sport.

A U.S. Observer Delegation attended the Second Regional Meeting on the UNESCO Convention on Recognition of Studies, Degrees and Diplomas Among Member States of the European Region in Bucharest, November 13-16. The meeting focused on the implementation of the Convention and established working methods for future meetings of the Committee. The United States will be able to participate as a full member once it has become a party to the Convention, now before the U.S. Senate and awaiting that body's advice and consent to ratification.

The United States was also represented at the Fifth Meeting of Liaison Officers to the European Center for Higher Education April 24-29 in Pont-à-Mousson, France, and at a number of experts meetings.

### **Natural Sciences**

UNESCO's regular science budget was \$55.8 million for 1984-85, or approximately 27.5% of the total approved Program budget for those years. UNESCO's science sector activities in 1984 concentrated on promoting research, providing access to research data, organizing global-scale scientific research projects on a cost-sharing basis, and offering scientific and technological assistance to developing countries. These scientific activities were among the most problem free of any UNESCO programs, but even here the United States noted organizational shortcomings, particularly in planning long-term priorities.

During 1984, the United States was an active participant in a series of intergovernmental science meetings. U.S. Geological Survey geologists participated in UNESCO-sponsored experts meetings on mineral and energy deposits models; remote sensing for geological mapping; transfer of technology in seismic microzoning; earthquake hazard programs; reduction of seismic risk; and cartographic education. U.S. hydrologists participated in the 6th Session of the Intergovernmental Council of the International Hydrological Program March 22-30; a meeting of the Governing Board of the International Association of Hydrogeologists; the Joint Session of the International Commission on Groundwater and the International Association of Hydrological Sciences; and the Joint Committee of the World Meteorology Organization and UNESCO on the Asian Regional Workshop on Water.

U.S. oceanographic and marine scientists, representing several Federal agencies, the National Science Foundation, and private American research institutions, attended the Intergovernmental Oceanographic Commission (IOC)/World Meteorological Organization-sponsored Regional Seminar on the Science, Technology and Environmental Effects of the Phenomenon "El Nino" (ocean current) during 1982-83; the 9th Session of the International Working Group for the Tsunami (earthquake tidal wave) Warning System in the Pacific; the 3rd Session of the Tropical Atlantic Climate Studies Panel; the 17th Session of the IOC Executive Council; the 2nd Session of the Committee on Climatic Changes and the Oceans (CCCCO) and the Joint Scientific Committee Scientific Steering Group for World Ocean Circulation Experiment; the 11th Session of the Working Committee on International Oceanographic Data Exchange; the IOC Working Session on Training Education and Mutual Assistance in Marine Science; the 5th Session of the Working Committee for the Global Investigation of Pollution in the Marine Environment; the IOC Symposium on Contaminant Fluxes through the Coastal Zone; the CCCO-JSC Symposium on Atmosphere Ocean Coupled Models; the 2nd Session of the CCCO Tropical Ocean and Global Atmosphere, the CCCO Indian Ocean Panel; the Boundary Layer Modelling Workshop; the IOC Workshop to Review Results for Monitoring Pollution in the Marine Environment and Regional Cooperative Programme; the 4th Session of the Joint IOC/WMO Working Group on the Investigation of "El Nino"; the December Session of the Committee on Climatic Changes and the Ocean; and the 1st Session of the IOC Group of Experts on Ocean Science and Non-living Resources.

U.S. scientists attended the following meetings of the UNESCO Man and the Biosphere Program: the Perceptions of Environmental Quality meeting in Uruguay; the Populations and Environment Conference in Tashkent, U.S.S.R.; the Biosphere Reserves/Northern Science Network in Canada; the MAB International Coordinating Council; the Management of Biosphere Reserves meeting in Great Smoky Mountains, Tennessee; and the Ecological Aspects of Urban Policy and Planning in Suzdal, U.S.S.R.

U.S. scientists of the Johns Hopkins University School of Hygiene and Public Health hosted a UNESCO-sponsored pilot project between institutions in developing countries and the West, originally proposed by UNESCO's 4th General Meeting of European Experts Committee on Biophysics. Scientists from China's Academy of Science attended the meeting. The Johns Hopkins session focused on the applications of research to the solution of major health problems (hepatitis B; cancer).

The UNESCO General Information Program (PGI), established in 1976 to provide a focus for UNESCO's activities in scientific and technical information, documentation, libraries, and archives, spon-



sored a seminar on National Information Policy and Planning in Dubrovnic, Yugoslavia. A delegation from the U.S. Commission on Libraries and Information Science participated in the seminar. The U.S. Archivist and the Executive Director of the U.S. Commission represented the United States at the 5th session of the PGI Intergovernmental Council November 19-23 in Paris.

## Culture

UNESCO's budget for cultural activities in 1984-1985 was \$26 million, or approximately 11.4% of the total Approved Program and Budget. During 1984, UNESCO's activities in the field of culture centered around four major objectives: (1) promotion of the preservation and presentation of the cultural and natural heritage of mankind; (2) promotion of the appreciation and respect for cultural identity of individuals, groups, and nations; (3) stimulation of artistic and intellectual activity; and (4) encouragement of indigenous cultural activities.

The Smithsonian Institution, in cooperation with the U.S. Committee of the International Council of Monuments and Sites and the National Trust for Historic Preservation, was cosponsor with UNESCO of an April 1984 conference on "The Challenge to Our Cultural Heritage: Why Preserve the Past?" in Washington, D.C. This event brought together North American journalists and international experts in historic preservation to review progress in preserving the world's historic sites. In October 1984, the Smithsonian Institution conveyed the third U.S. voluntary contribution to the UNESCO-sponsored international campaign for the preservation of Moenjodaro,<sup>20</sup> bringing the U.S. total to almost \$3 billion in excess Pakistani rupees.

In 1984 five countries (Mexico, Qatar, United Kingdom, Arab Republic of Yemen, and Zambia) ratified the International Convention for the Protection of the World Cultural and Natural Heritage, bringing the total of states parties to 83. During the 8th meeting of the World Heritage Committee in Buenos Aires in October/November 1984, 21 new properties were added to the World Heritage List, including 2 in the United States—the Statue of Liberty and Yosemite National Park. The U.S. Department of the Interior completed public procedures for the selection and submission of nominations for 1985 of Glacier National Park and Chaco Cultural National Historical Park. In October 1984, Congress approved voluntary contributions of \$248,500 (fiscal year 1985) to the World

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<sup>20</sup> Moenjodaro, a 4,500-year-old town uncovered by archeological digs, represents an outstanding example of town planning and is visited and studied by present-day experts in that field.

Heritage Fund for assistance and preservation of 186 designated World Heritage sites in 50 countries.

The UNESCO-established but independent International Center for the Study of Preservation and the Restoration of Cultural Property (ICCROM) in Rome continued its activities in international historic preservation. With the assistance of the U.S. Committee of the International Council on Monuments and Sites (a non-governmental organization) and private foundation support, six Americans participated in ICCROM courses on conservation of mural painting, architectural conservation, and wood conservation. The Chairman of the Advisory Council on Historic Preservation (an independent federal agency established in 1966 to advise the President and the Congress on historical preservation matters) headed the U.S. Delegation to the 13th extraordinary session of the ICCROM General Assembly in May 1984 and was elected Vice Chairman.

The United States deposited its instrument of ratification, effective December 1983, to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This Convention is being implemented by the U.S. Convention on Cultural Property Implementation Act of 1983. (Public Law 97-446.) The Act establishes a presidentially appointed Cultural Property Advisory Committee under the aegis of the United States Information Agency (USIA) to review, *inter alia*, requests from state parties to the Convention for U.S. import restrictions to protect designated archaeological and ethnological material in jeopardy of pillage. During its inaugural year in 1984, the Committee established internal procedures and guidelines for handling requests by states parties for assistance in curbing pillage of their archaeological and ethnological materials. The Committee also notified all states parties of U.S. readiness to assist in curbing such pillage under the terms of the Act.

The National Endowment for the Arts continued its efforts, begun in 1981, to implement the UNESCO Recommendation on the Status of the Artist with activities related to career transitions for American performing artists. In 1984, the Endowment cooperated with the U.S. Actor's Equity and the Actor's Fund to establish a retraining program for dancers in the United States.

The USIA administers the Agreement for Facilitating the International Circulation of Visual and Auditory materials of an Educational, Scientific and Cultural nature adopted by UNESCO at its Third General Conference session in Beirut in 1948. Under the authority of Public Law 89-634, the United States Information Agency in 1984 issued 1,498 certificates establishing the "international education character" of approximately 66,000 items of U.S.-produced audiovisual materials. These certificates secure duty-free

entry privileges for the audiovisual materials covered by them in about 60 countries.

## Social Sciences

The social sciences-approved program budget for 1984–1985 was \$17.1 million, or approximately 7% of the total Approved Program and Budget. During 1984, the UNESCO social science program continued its emphasis on building up social science facilities, especially in Africa and Asia; strengthening the role of research as an effective instrument of planning; and developing disciplines in the social and human sciences.

A number of articles were contributed to UNESCO's quarterly *International Social Science Journal* from American scholars and experts affiliated with the Social Science Research Council, Aldelphi University, Stanford University, and Population Associates International. The following UNESCO meetings were participated in by American professionals: an Informal Consultation on the Study of Relations between Peace, Disarmament, and Development (September 17–19); a Symposium on the Significance and Impact of the Encyclopedia of Diderot and D'Alembert and the Philosophy of the Enlightenment (October 23–26); a Consultation on Youth Movements (November 12–15); an Experts Meeting on Theoretical Frameworks and Methodological Approaches to Studies on the Role of Women in History (November 13–16); and a Seminar of Critical and Philosophical Reflection on the Unity of Man (December 11–14). UNESCO engaged 18 American scholars and/or institutions (e.g., World Development Institute, Human Rights INTERNET, International Peace Research Association, and the Center of Studies for Human Rights) to prepare studies, syntheses, and working papers for UNESCO meetings and publications. UNESCO awarded its 1984 Peace Education Prize to the International Physicians for the Prevention of Nuclear War, located in Boston, Massachusetts.

## Communications

The total approved communications budget was \$16.1 million for 1984–85, or approximately 7% of the total approved Program and Budget.

At the 120th Executive Board meeting in October 1984, the United States and its allies made an effort to introduce changes into the 1984–1985 program in order to eliminate activities which we believed were inimical to a free press and to substitute new activities of a more positive nature. A number of recommendations were adopted by the Executive Board, among them that a high priority be given to practical training and that research into politically conten-



tious topics be reduced. The recommendations were referred to the 23rd General Conference Session in October 1985; in the meantime, they were not implemented.

UNESCO communication activities were monitored during the year by the Department of State pursuant to U.S. Public Law 97-241, adopted in August 1982, which requires that funding be withdrawn from UNESCO if it implements anti-free press measures. The February 1984 Department of State report to Congress, covering the previous year, concluded that while UNESCO continued to debate issues potentially dangerous to the free flow of information, it had not implemented any programs requiring withdrawal of funding. A report covering 1984 will be submitted in February 1985.

The fifth session of the Intergovernmental Council of the International Program for the Development of Communication (IPDC) was held in Paris in May 1984. There were 52 new regional and national projects endorsed by the Council; 42 projects were funded up to a maximum of \$40,000 each; and 10 were identified for bilateral assistance from funds-in-trust. As of December 31, 1984, a total of \$7.2 million had been pledged by member states to the Special Account for communications development projects endorsed by the IPDC. The United States has not contributed to the Special Account, preferring other avenues of cooperation over which it could exercise greater oversight. Through the end of 1984, the United States had committed \$1.1 million to support IPDC projects through funds-in-trust.

In 1984 the United States rotated its place on the eight-nation IPDC Executive Bureau under a split-term agreement with France. The United States was due to leave the Council when it withdrew from UNESCO. It was interested in preserving a link to the IPDC—an institution which the United States helped to found in 1980—perhaps in an observer capacity.

A U.S. Representative attended the first meeting of the Interim Intergovernmental Committee for the UNESCO Intergovernmental Informatics Program, November 13-16, 1984, in Paris. This Committee had been approved by the 22nd UNESCO General Conference Session in 1983 as a means to strengthen UNESCO's subprogram in informatics. The Committee's final report recommends the establishment within UNESCO of an intergovernmental program designed to promote cooperation in the field of informatics. The United States joined the consensus. The proposal will be considered at the 23rd General Conference Session in 1985.

## Copyright

The international copyright activities of UNESCO, conducted in association with the World Intellectual Property Organization

(WIPO), touched on a variety of issues of importance to American authors and copyright exporters.

In June 1984, the problems of adjusting copyright laws to the new technology of private copying were addressed at an experts meeting. The meeting heard the views of independent specialists on the nature of home copying of protected works for personal use; assessed the relevance of existing copyright conventions to such activities; and considered ways in which the harmonious development of national laws governing private copying might best be achieved.

A November 1984 experts' meeting on copyright problems arising out of the rental of audio and video recordings for home viewing by consumers considered the legal position of rights' holders in circumstances where proprietary controls over copies of works are precluded by local laws.

In December 1984 a Group of Experts on the Intellectual Property Aspects of Folklore at the International Level, convened jointly by UNESCO and WIPO, met in Paris. The meeting explored a developing-country initiative on limited protection of traditional culture through the mechanism of international copyright agreements. Despite the fact that the incorporation of heretofore "public domain" folklore into copyright law poses conceptual, economic, and political problems, the states parties to the Universal and Berne Copyright Conventions have continued to make progress toward an accommodation.

## **U.S. NATIONAL COMMISSION FOR UNESCO**

The U.S. National Commission for UNESCO held its 48th meeting in Washington, D.C. in December 1984 under the chairmanship of Dr. James B. Holderman. The Commission resolved that it should remain active following U.S. withdrawal from UNESCO. It endorsed recommendations of the Executive Committee for streamlining the Commission. Adopting a Nominations Committee resolution, it decided to freeze in place the current officers and members of the Executive Committee pending Congressional resolution of the future status of the Commission. The Commission also called on the Department of State to make an earnest effort to encourage reforms that would permit the United States to rejoin UNESCO at the earliest possible date.

In August, the Commission published a report: "What are the Issues Concerning the Decision of the United States to Withdraw from UNESCO?" It commissioned a report by the National Academy of Sciences on "The Impacts of Withdrawal from UNESCO and Suggestions for Alternative Interim Arrangements." In December the Commission sponsored a conference on "Mass Media, Telecom-

munications, Informatics, and Communications Development Assistance: Is a Public-Private Partnership Possible?"

Commissioners consulted with the Department of State on the U.S. reply to the Director General's questionnaire on the Draft Program and Budget for 1986-87. When the UNESCO Executive Board met at its 120th session, six Commissioners attended as observers and issued reports on their findings. One of the Vice Chairpersons took part in an informal meeting of European National Commissions in Spain in September.

## **World Intellectual Property Organization**

The World Intellectual Property Organization (WIPO) was established by a convention signed at Stockholm in 1967 which entered into force on April 26, 1970. The United States is a party to the Convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for the administration of some 15 intergovernmental "Unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 96 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 76 parties. The United States is a party to the former Convention but not the latter.

Membership in WIPO is open to any member state of the Paris or Berne Unions, or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly.

### **ADMINISTRATIVE ORGANIZATION**

The Paris and Berne Conventions had provided for an international bureau to serve as Secretariat for each respective Union. These were united in 1893, eventually under the name of the United International Bureaux for the Protection of Intellectual Property (BIRPI). Although BIRPI still has a legal existence for states that are members of one of the Unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm Convention to be the Secretariat of WIPO. WIPO became a specialized agency of the United Nations in 1974.

The International Bureau operates under the direction of WIPO member states through a General Assembly and a Conference which meets biennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each Union, consisting of all the member states. The Paris and Berne Unions elect Executive



Committees from among their member states, and joint membership of these two committees constitutes WIPO's Coordination Committee, which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the biennial program and budget of WIPO. As a member of the Paris Union Executive Committee, the United States continued as a member of the WIPO Coordination Committee through 1984. In that year the United States was also a member of the following governing bodies or other organs of WIPO: the General Assembly, the Budget Committee, the Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights, the Permanent Committee on Patent Information, and the Permanent Committee for Development Cooperation related to Industrial Property.

The 1984-85 budget of WIPO was adopted by the governing bodies in September. The amount of the gross assessed budget is 42,106,000 Swiss francs. Although the United States and other members welcomed the absence of any real program growth in the proposed budget, the United States voted against it because the nominal growth rate of 19.4% over the previous biennium was considered to be too high. The United States is assessed approximately 4.5% of the total budget.

One of two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective, WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin; and it performs the administrative tasks for an international patent filing arrangement.

The second basic objective of WIPO is to ensure administrative cooperation among the Unions. Centralizing the administration of the various Unions in the International Bureau helps ensure economy both for the member states and for the private sector concerned with intellectual property.

## TECHNICAL ACTIVITIES

The Permanent Committee for Patent Information (PCPI), established in 1977, coordinated all technical activities which previously were being undertaken by separate bodies in regard to the revision of the International Patent Classification under the Strasbourg Agreement, the activities of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), certain technical activities under the Patent

Cooperation Treaty, and various other existing or planned technical activities related to patent information.

During 1984 the United States continued to participate in the preparation for the publication of the fourth edition of the International Patent Classification, and in measures adopted to ensure the smooth working of the Patent Cooperation Committee under its procedures.

## **ASSISTANCE TO DEVELOPING COUNTRIES**

Activities of WIPO in the field of development cooperation with respect to developing countries continued in 1983 under the direction of two committees composed of developed and developing countries, the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the WIPO Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participated in both of these committees and supported most of the activities which were numerous and varied.

During 1984 WIPO continued to provide traineeships to officials from developing countries in the fields of industrial property and copyright. The U.S. Patent and Trademark Office participated by providing training to a number of developing country nationals in the industrial property field.

## **REVISION OF THE PARIS CONVENTION**

The United States continued its active participation in the revision of the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. The first session of the Diplomatic Conference was held in February-March 1980 in Geneva. The Conference became bogged down in attempting to resolve the question of the voting majority for adoption of a revised text of the Paris Convention. Following an almost month-long discussion, voting rules were adopted over the objection of the United States in the concluding days of the Conference.

The developing countries, supported by the Socialist countries, had announced they wanted a two-thirds majority for adoption of the revised text of the Paris Convention. The compromise finally adopted, with the United States the only dissenter, called for the final text to be adopted by consensus, that is, without objection; but, if no consensus were reached, a two-thirds majority would be sufficient, provided no more than 12 members voted against. The United States protested the adoption of this rule by less than a unanimous vote and formally reserved its legal right to challenge the validity of any substantive

action under the Rules of Procedure, particularly the adoption of a revised text, by less than a consensus.

In the opening of the second session of the Diplomatic Conference, held in Nairobi in September–October 1981, the United States again noted its opposition to the adoption by less than a unanimous vote, of a voting rule providing for less than a unanimous vote to adopt a revised text which evolved.

Almost all of the second session was spent attempting to resolve the issues regarding sanctions for not working a patented invention in a given country. The Group of 77 wanted to have greater discretion in the nature of the sanctions developing countries could apply and they wanted developing countries to be able to apply the sanctions sooner. The industrialized countries preferred limiting the sanctions which were available and giving inventors more time to work their inventions before sanctions could be applied. In addition, some of these industrialized countries felt that any relaxation in the nature of sanctions or in time limits should be available to any country and not only developing countries. However, the majority felt that any relaxation in existing requirements should be available only to developing countries. At the conclusion of the 4-week session, a revised text on the sanction matter alone was informally agreed to with only the United States objecting. The U.S. objection was directed primarily against the confiscatory nature of two sanctions which a developing country could apply for situations involving the non-working of a patented invention. Further discussion on this matter, as well as on other matters which were only summarily discussed in the second session, was deferred to the third session, which was held in fall 1982.

The third session was held for 4 weeks in October and 1 week in November 1982. By general agreement the contentious issue of sanctions for failure to work a patent was not on the agenda. The third session concentrated in its first 4 weeks on trademark issues having to do with the use of geographical names to identify products. In view of strong European positions on these issues, it was not possible to reach final agreements on them. During the last week of the third session, continued discussions on ways of resolving the problem of sanctions for nonworking of patents were held with the expectation that they would be continued in a fourth session of the Conference.

The fourth session of the Conference was held in February and March 1984. Following 4 weeks of discussions, the issue of sanctions for failure to work a patent was unresolved. Agreement was achieved by the industrialized countries on the issue of the use of geographical names to identify products, but this agreement was not accepted by the Conference. In view of the inability to resolve any of the major



issues, the Plenary of the Conference adopted a resolution asking the Assembly of the Paris Union to convene a fifth session as soon as it finds prospects for positive results. The Assembly was also asked to set up machinery for consultations designed to prepare for the next session. The Assembly decided that the machinery would consist of consultative meetings among 10 representatives of each of the three groups (Group B, Group of 77, and the Socialist states) and China, with the first meeting scheduled for July 1985.

## **PATENT COOPERATION TREATY**

A total of 39 countries had ratified or adhered to the Patent Cooperation Treaty (PCT) by the end of 1984.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been concurrently filed with national Patent Offices (including the European Patent Office) of those countries party to the PCT which the applicant designates. The international application is then subjected to a search of a prior art by the U.S. Patent and Trademark Office, and the applicant then decides, on the basis of the international search report, whether it is worthwhile to pursue application in the various countries designated. National procedures in such countries are delayed until 20 months after the priority date, unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant may generally seek protection under the national law of that country or under the European Patent Convention.

## **Protection of the Olympic Symbol**

In a 2-day Diplomatic Conference in September 1981, a Nairobi Treaty on the Protection of the Olympic Symbol was agreed to and signed on behalf of 21 countries. The United States, in the final vote on the instrument, which required a two-thirds vote for approval, voted against adoption primarily because the treaty erodes the ability of the U.S. Olympic Committee to retain licensing revenues for use of the U.S. Olympic teams. This agreement, which had been adhered to by 23 countries by the end of 1984, entered into force on September 25, 1982.

## World Health Organization

The World Health Organization (WHO) in 1984 continued efforts to monitor and implement its strategy of achieving "health for all by the year 2000." The annual World Health Assembly asked member states to give higher priority to immunization against the basic childhood diseases, as well as to prevention and control of blindness due to vitamin A deficiency. The Assembly also adopted a resolution calling for a special 1985 conference on the "rational use of drugs," a measure which the U.S. Government opposed because of contentions that such a meeting would be the first step to a new marketing code on pharmaceutical products. Because of Assembly divisions on this point, as well as on several political issues, WHO's Director General, Halfdan Mahler (Denmark), later said that he felt it "unthinkable" that WHO was not obsessed with achievement of consensus; he told the Executive Board that the resolution of differences on key issues was essential if member states wanted their international institutions to work effectively.

In the course of 1984, WHO added five new members—the Cook Islands, Kiribati, St. Vincent and the Grenadines, Antigua and Barbuda, and St. Christopher and Nevis—bringing the total WHO membership to 165, plus 1 Associate Member (Namibia). The United States maintained its role as a leading member of WHO. U.S. efforts at the Assembly promoted WHO's international health initiatives and reiterated for other members the U.S. concern that WHO remain focused on its assigned technical area of responsibility and minimize extraneous political issues. In direct relations with WHO in the course of 1984, the United States was active in WHO efforts to address specific health issues, including diarrheal disease control, malaria vaccine research, human reproduction, tropical disease research, and childhood immunizations. The United States also continued to stress the importance of more cost-efficient operations and the necessity of developing a zero-program-growth budget for adoption in 1985. It also promoted increases in the number of Americans employed by WHO and greater efforts to involve the private sector in WHO program activity.

Dr. C. Everett Koop, Surgeon General of the U.S. Public Health Service, Department of Health and Human Services, led the U.S. Delegation to the Assembly, which was held in Geneva on May 7–17, 1984. Dr. Koop also addressed the 1,000 delegates attending the Assembly, assuring them of strong U.S. support for the "health for all" goal and describing the U.S. campaign to persuade people to adopt "lifestyle changes," such as better eating habits, exercise, and cessation of smoking, in order to improve their health. In his speech, he predicted that deaths in the United States from heart disease, cancer, and childhood infectious diseases would continue to decline.

The Assembly elected the United States to the 31-member Executive Board. This election, coupled with a U.S. decision to resign the post after 1 year, served to extend the current U.S. term on the Board from 3 years to 4. This election was arranged for the purpose of adjusting the normal rotational cycle in which the United States has a member on the Board 3 years out of every 4. The shift in this cycle served to permit a U.S. member to be present at the Board meeting each time the biennial budget is discussed.

In January 1984, the United States sent a delegation to the Board's annual 3-week session; Dr. Edward N. Brandt, Jr., Assistant Secretary for Health of the Department of Health and Human Services, was U.S. member of the Board. Dr. Hoyt Gardner of Louisville, Kentucky, was named in 1984 by President Reagan to serve as Alternate Member of the Board; Dr. Gardner attended the 2-day May session of the Board with Dr. Brandt.

U.S. Delegates also participated in the June 1984 meeting of the 9-member Executive Committee of the Pan American Health Organization (PAHO) and the September meeting of PAHO's 38-member Directing Council, which serves as WHO's regional committee for the Americas. The United States sent a delegation to the September meeting of the WHO regional committee for the Western Pacific, held in Suva, Fiji, and an observer to the September meeting of the WHO regional committee for Europe, held in Copenhagen, Denmark. Dr. Jane Henney, Deputy Director of the National Cancer Institute, headed the U.S. Delegation to the annual meeting of the Governing Council of WHO's international Agency for Research on Cancer (IARC), in Lyon, France.

## HEALTH ISSUES

WHO regional committees and individual member states continued work in 1984 to develop techniques of monitoring progress toward the "health for all" goal. Following the World Health Assembly, Dr. Koop said that "the strong commitment to this goal, given by every delegation which addressed the Assembly, and the progress being made in national health plans to attain this objective, is very encouraging." Noting WHO's emphasis on primary health care, another member of the U.S. Delegation, Dr. James E. Sarn, Director for Health and Population of the Agency for International Development, said that AID was involved in over 150 primary health care projects in 72 developing countries around the world. Dr. Sarn said that "many of these primary health care activities are being carried out in coordination with the WHO in an effort to use resources more effectively, and all are directed toward the WHO goal of 'health for all by the year 2000.'"



The Assembly, through its 2-day "technical discussions," gave extensive treatment to the role of universities in achieving the goal of "health for all." Following upon extensive criticism of universities for giving only limited, if any, attention to public health and preventive medical measures, the Assembly adopted a resolution inviting universities to give greater attention to training and research in this area. The Assembly also adopted a resolution endorsing a new health plan, drawn up by the Pan American Health Organization, for the states of Central America and Panama. The United States strongly supported a measure, introduced by Colombia and Bolivia, urging member states to give greater attention to the abuse of narcotic and psychotropic substances, particularly cocaine.

The Executive Board meeting in January 1984 gave extended attention to an expert committee report on "smoking control strategies." Dr. Brandt told the Board of the U.S. concern about the addictive and damaging health consequences of smoking. However, he rejected the expert group's proposal for a new "international instrument" to control the marketing of tobacco; he said this was certain to be an ineffective step in efforts to prevent people from becoming addicted, and urged WHO to consider other approaches to the problem, including better public education about the health consequences of smoking.

Director General Mahler made it clear to the Board that he would not be embarking on development of a new "international instrument" in this area. He said that effective action in this area could only come at the national level and that WHO and other international organizations could not become "scapegoats" for national governments that refused to carry out their responsibilities.

The January board session approved new procedures developed by WHO for developing recommendations regarding international controls on drugs under the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971. The new procedures were aimed at formalizing a process of consultation and decision which in previous years had been subject to criticism. The Board also warmly praised the International Program on Chemical Safety, a joint operation of WHO, the International Labor Organization, and the UN Environment Program, and urged more member states to participate in this effort to promote the proper handling of chemicals.

### **Pharmaceuticals**

U.S. Delegates to the Assembly praised WHO's efforts to get more and less costly essential drugs and vaccines to the less developed countries. Dr. Stuart L. Nightingale, Associate Commissioner for Health Affairs of the U.S. Food and Drug Administration, urged

greater collaboration between developing countries, WHO, and the pharmaceutical industry in pursuit of this goal.

Over U.S. objections, the Assembly adopted a resolution regarding the "rational use of drugs." Among other things, the resolution asked the Director General "to arrange in 1985 a meeting of experts of the concerned parties, including governments, pharmaceutical industries, and patients' and consumers' organizations, to discuss the means and methods of ensuring the rational use of drugs, in particular through improved knowledge and flow of information, and to discuss the role of marketing practices in this respect, especially in developing countries." Dr. Nightingale told the committee considering the resolution that such a meeting would lead to great cost and disruption of other WHO drug programs; in addition, the United States understood from background discussions concerning this resolution that some sponsors intended the meeting to be the prelude to efforts to initiate a WHO code on the marketing of pharmaceuticals, and the United States felt this was unwarranted and outside the sphere of responsibility of WHO. The vote on the resolution was 100 to 1 (U.S.), with 2 abstentions.

Later in 1984, the Executive Board's *ad hoc* committee on drug policy met to consider the format and other plans relating to the 1985 meeting requested by the Assembly's resolution. The committee endorsed plans developed by the WHO secretariat for very tight control over the conduct of the meeting, including a format which would provide for no resolutions or recommendations from those attending; the only report would come from the Director General himself. The Director General made clear his view that initiation of efforts toward a marketing code in WHO would be inappropriate for the organization and that he did not intend to permit the 1985 meeting to become a vehicle for such an effort to begin.

## Infant Feeding

The Assembly adopted a resolution on infant and young child feeding that suggested the stage was being set for expansion of the code of marketing practices for breastmilk substitutes, adopted in 1981, to cover foods for young children. The United States did not oppose the resolution, but gave a strong statement of objection to the implications of the resolution and warned against further WHO involvement in commercial fields outside its main area of responsibility. The Assembly also adopted a resolution on vitamin A deficiency in young children.

## ADMINISTRATIVE AND BUDGETARY ISSUES

Two new regional directors were chosen during 1984. The regional committee for Africa elected Dr. Gottlieb Lobe Monekosso (Cameroon) as the new regional director for the WHO office based in Brazzaville, Congo. Dr. Monekosso succeeded Dr. Comlan A. A. Quenum (Benin), who died in August 1984. The regional committee for Europe elected Dr. Jo Eirik Asvall (Norway) as the new regional director for the WHO office based in Copenhagen, Denmark. Both were elected for 5-year terms.

Although no biennial budget was under discussion at the 1984 Assembly, U.S. officials throughout the year took opportunities to press WHO staff for more efficient methods of operation and the continuation of the zero-program-growth budget approach approved in the 1984-85 biennial budget. The "Geneva Group" committee on WHO affairs developed an extensive questionnaire on the preparation of the WHO budget, and used the results to urge greater economies on WHO staff as they made preparations for the 1986-87 draft budget. U.S. Delegates to the Executive Board and Health Assembly reiterated concern about the slow payment of assessments, and in many cases the lack of any payment in the course of a fiscal year; it argued that the Assembly could not approve budgets at higher levels if so many countries could not pay assessments at current levels.

At the Health Assembly, in light of critical comments by the External Auditor, the United States led a long discussion of the apparent misuse of health program savings for installation of a private elevator and the use of charter flights for staff at the regional office for Africa, in Brazzaville. Because of this situation, the United States opposed the allocation of nearly \$1 million more to the regional office for Africa for improvement of physical plant facilities, but the Assembly voted to approve the proposed expenditures from the Real Estate Fund. The vote was 77 to 1 (U.S.), with 12 abstentions.

Following a review of the value of holding annual 2-day "technical discussions" on specific health topics, the Assembly debated whether limited Assembly time could be saved if these discussions were held biennially rather than every year. A U.K. proposal to change the discussions to a biennial basis was defeated by a vote of 30 to 31 (U.S.), with 11 abstentions.

## POLITICAL ISSUES

Through effective behind-the-scenes efforts by WHO's Director General, other key staff members, and influential delegations, confrontation was avoided on a number of potentially troublesome political issues which the United States deemed inappropriate for a WHO forum.



## **Eastern Mediterranean Regional Office**

Although the Health Assembly took up an agenda item on the subject of the possible transfer of the Eastern Mediterranean regional office out of Alexandria, Egypt, for the first time since 1979 there was no discussion of the subject. A brief resolution requested no new action, and it was generally believed that the issue would be dropped in future Assemblies.

### **Action Regarding Israel**

Israel's credentials precipitated no challenge in the Assembly. A written report noted that Jordan had reserved its position on the issue, but there was no discussion and the credentials were quickly approved.

Arab delegations presented their customary resolution criticizing Israel for its handling of health conditions in the occupied Arab territories and strongly condemning Israeli occupation practices. The resolution did not call into question Israel's participation in WHO. Discussion at the Assembly focused more on procedural tactics than on the substance of the issue. Israel contended that the Assembly was not competent to consider the Arab resolution since the text related essentially to politics and not health. The Committee considering the issue agreed that the Assembly was competent to consider the resolution, by vote of 63 to 8 (U.S.), with 28 abstentions. An Israeli request for a secret ballot was then rejected, by a vote of 23 (U.S.) to 56, with 19 abstentions. On a roll call vote, requested by Algeria, the resolution was adopted by a vote of 67 to 19 (U.S.), with 21 abstentions. In the plenary, the vote was 75 to 23 (U.S.), with 28 abstentions.

### **Chemical War**

Iran tried repeatedly during the Assembly to introduce the subject of chemical war, complaining that Iraq was using chemical weapons against Iran illegally. The Assembly first rejected Iran's effort to introduce a separate agenda item on the topic. Then the General Committee refused to permit circulation of an Iranian draft resolution on the subject under another agenda item. Iran then submitted a different text. The Committee Chairman ruled that the new text had to be distributed, but the ruling was challenged by Somalia. After extended debate, the Committee decided, by a vote of 17 to 22 (U.S.), with 54 abstentions, that the resolution was not receivable in light of previous discussions and could not be discussed.

## Nicaragua Harbor Mining

Nicaragua circulated an informal draft resolution complaining that mining of its harbor had cut off medical supplies and damaged health in that country. Representatives of the Contadora Group of countries, which were seeking to promote negotiation on Nicaraguan political issues, persuaded Nicaragua not to provoke a confrontation on the issue, and the text was withdrawn.

## African Debate

The Assembly again adopted a customary resolution regarding the need for assistance to front-line states in southern Africa. As in the past, sponsors of the resolution refused to compromise on language that the United States believed was unduly politicized, in particular a reference to "military destabilization planned, directed and carried out by the South African racist regime." The United States called for a vote to express its concern about the harsh rhetoric. The resolution was adopted in committee by a vote of 77 to 1 (U.S.), with 10 abstentions, and in plenary by a vote of 107 to 1 (U.S.), with 11 abstentions.

## Cuban Offer To Host the Assembly

The Government of Cuba told the Assembly it was offering to host a future Assembly in Havana. Corridor discussions indicated a division of opinion on the subject, with many delegations, including that of the United States, arguing that all Health Assemblies should be maintained in Geneva. Cuba presented WHO with a formal invitation for the 1986 Assembly, and informal discussions on the issue continued throughout the year. A decision would have been required by the Assembly in 1985. However, toward the end of 1984, it was understood that Cuba might be considering withdrawing its invitation in order to avert a potentially political confrontation for WHO.<sup>21</sup>

## PAN AMERICAN HEALTH ORGANIZATION

The 30th meeting of the Directing Council of the Pan American Health Organization (PAHO) was held in Washington from September 24 to October 1, 1984. St. Christopher and Nevis was admitted

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<sup>21</sup>In fact, on January 10, 1985, the Cuban Minister of Health appeared before the WHO Executive Board, and, indicating that Director General Mahler had recently visited Cuba to discuss the issue, told the Board that Cuba had decided to withdraw its invitation, "motivated by a spirit of dialogue, cooperation [and the need for] a climate of detente and stability," and noting in apparent reference to the U.S. decision to withdraw from UNESCO because of policy disagreements, that "the experience of UNESCO is well-known to all of us."

as the 38th PAHO member. The Council reviewed and supported the PAHO-developed health plan for Central America; urged greater national attention to family planning programs in the region; supported attention to chemical safety by PAHO member states; and urged better coordination between social security institutions and ministries of health. Drug abuse was also considered by the Council, including announcement of a new cooperative agreement between PAHO and several U.S. agencies on a drug abuse epidemiology project.

The Council concurred with PAHO's tentative distribution of the planning figure provided by WHO for the 1986-87 budget. In discussion of the budget, the United States raised concern about the apparent lack of adequate justification for cost increases, particularly in light of declining inflation rates. The United States said it was willing to accept certain real increases in country programs and in overall regional figures, provided that the net result in WHO's global budget, to be adopted in May 1985, was zero program growth. The Directing Council gave extensive consideration to the fact that 5 of the 37 members were more than 2 years in arrears in payment of their assessments, up from 3 in the preceding year. The Council discussed various options to bring about prompt payments. PAHO Director, Dr. Carlyle Guerra de Macedo (Brazil), said he would work with those arrears in the hope that all arrearages to PAHO could be paid off over a 4-year period.

The nine-member PAHO Executive Committee, in a meeting following the Council session, elected the Minister of Health of Ecuador as its new chairman. This was a victory over the Vice Minister of Health of Cuba, by a vote of 6 (U.S.) to 2 (Cuba, Canada). The Cuban Delegation, anticipating a victory in this election, complained in a speech that its constructive work within PAHO was being ignored for basically political reasons. In elections during the Directing Council meeting, Brazil, Honduras, and Colombia were elected to the Executive Committee.

## **INTERNATIONAL AGENCY FOR RESEARCH ON CANCER**

The annual 2-day meeting of the 12-member Governing Council of the International Agency for Research on Cancer (IARC) was held in IARC headquarters in Lyon, France, on May 3-4, 1984. The Council gave attention to new procedures for peer review of IARC research activity and reviewed the functions of the Scientific Council.

Although no budget proposal was under review, several Council members forecast strong opposition to growth in the 1986-87 budget, to be considered in 1985. The United States urged that the Scientific Council give a thorough review to IARC program priorities in 1986-87



prior to discussion of the budget for that period by the Governing Council.

The U.S. Delegation tried, as it had in previous years, to ensure that all IARC cancer research activity was included in the regular budget, contending it was inappropriate to use the Governing Council Special Fund, developed from interest earnings and exchange rate gains, to fund *ad hoc* research projects outside of the approved program budget. However, the Council voted 1-10 to reject a U.S. proposal for amendment of the financial rules to address this point, and 10-1 (U.S.) to confirm the existing use of the Governing Council Special Fund for short-term scientific projects.

## International Maritime Organization

Since its inception in 1958, IMO has had its headquarters in London. Its main objective is to facilitate cooperation among governments on technical matters affecting international shipping as a means of achieving the highest practicable standards of maritime safety at sea and for the protection of the marine environment through prevention of pollution of the sea caused by ships and other craft. IMO also deals with legal matters connected with international shipping, with the facilitation of international maritime traffic, and provides technical assistance in maritime matters to developing countries.

IMO accomplishes its work through various fora: the Assembly, consisting of the full membership; the Council, with a membership of 32 (beginning November 1984); the Maritime Safety Committee (MSC); the Marine Environment Protection Committee (MEPC); the Legal, Facilitation, and Technical Cooperation Committees; and various technical subcommittees of the MSC and the MEPC. Each committee consists of the full membership. The work of the committees is reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by Plenipotentiary Conferences. Brunei and Vietnam joined IMO in 1984, bringing total membership to 127 full members and 1 associate member. The World Maritime University, an IMO-sponsored institution of higher learning located in Malmo, Sweden, experienced its first full year of operation during 1984. It has established a reputation for sound maritime training and a quality student body.

### IMO COUNCIL

The United States serves on the IMO Council, which from November 10, 1984, consists of 32 elected members. This increase from a 24-member Council reflects the entry into force of the 1979 amendments to the IMO Convention to provide a larger body, more

representative of the total membership of the Organization. William O'Neil (Canada) served as Council Chairman during 1984.

There were two Council meetings in 1984. The 52nd session was June 11-15; the 53rd session was November 12-16. In addition to reviewing the numerous technical recommendations prepared by the various IMO Committees, the Council also discussed such controversial matters as the application of North Korea for membership in the IMO, rescue at sea (which affects refugees in Southeast Asia), and the request of Nicaragua for assistance in removing mines from its waters. The first two were not decided in 1984 and will be taken up again in 1985. In the case of the mining issue, the Council decided to refer the request for assistance to individual member governments since the IMO did not have the appropriate expertise.

## **MARINE ENVIRONMENT PROTECTION COMMITTEE**

At its 20th session, held in September, the MEPC adopted the first set of amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 Relating Thereto (MARPOL 73/78). The amendments provide clarification and improvement necessary for the effective implementation of the Convention, including new formats for the Oil Record Book and International Pollution Prevention (IOPP) Certificates, and clarification of the Oil Discharge Limitations. The MEPC agreed to use the MARPOL Tacit Amendment Procedures, under which a minimum of 10 months is allowed for states to object to entry of the amendments into force. The agreed objection period was September 7, 1984 to July 7, 1985. The amendments are already being followed by countries party to the Convention and are not expected to meet any objection. They are expected officially to enter into force on January 7, 1986.

Another major item on the MEPC agenda at its 20th session was revision of Annex II to MARPOL 73/78, which regulates pollution from the shipment of noxious liquid substances in bulk. The United States supported major amendments which would require a phased-in fitting of Efficient Stripping Systems in the cargo tanks of Bulk Chemical ships. The result would be delivery of a larger percentage of cargo to the receiver, and less residues discharged into the marine environment. The need for cargo waste reception facilities would also be significantly reduced. Enforceability by port and flag states would be improved by reducing the procedural burden on ships for compliance with the Annex. The matter was not resolved in 1984 and was carried over to the next meeting of the MEPC, scheduled for April 1985.

## LEGAL COMMITTEE

The Legal Committee held two sessions in 1984. The Committee devoted its efforts at its 52nd and 53rd Sessions, September 10-14 and December 10-14, to consideration of the question of salvage, in particular the revision of the 1910 Convention on Salvage and Assistance at Sea. The Committee focused primarily on a draft Convention of Salvage, which imposes duties upon both salvors and shipowners to protect the environment and creates an exception to "no-cure, no-pay," guaranteeing recovery of salvors' expenses when the salvor provides assistance to a vessel threatening damage to the environment. The Committee also considered proposals to revise the 1969 Intervention Convention. These proposals included mandatory casualty reporting to the nearest coastal state, permitting states to commandeer salvage vessels, and assuring compensation to salvors acting under the orders of an intervening state.

In addition, the Committee considered the question of Maritime Liens and Mortgages, in anticipation of the substantive work in this area beginning at its 55th Session. The Committee also conducted a preliminary exchange of views regarding further work on the draft Convention on Liability and Compensation in connection with the Carriage of Noxious and Hazardous Substances by Sea.

## International Civil Aviation Organization

Tonga notified its adherence to the "Chicago" Convention on International Civil Aviation in 1983, thus increasing the membership of the International Civil Aviation Organization (ICAO) to 153 states in 1984.

## ICAO COUNCIL

On March 6 the Council took final action on the Korean Air Lines flight 007 shoot-down, after completing its examination of the report of the Secretariat's fact-finding team and the technical comments of the Air Navigation Commission. By a vote of 20 (U.S.) to 2, with 9 abstentions, the Council adopted a resolution which condemned the use of armed force which resulted in the destruction of the Korean airliner and the tragic loss of 269 lives; deeply deplored the Soviet failure to cooperate in the search and rescue efforts of other involved states and the Soviet failure to cooperate in the ICAO investigation; and urged all contracting states to cooperate fully in the work of amending the Chicago Convention at the forthcoming extraordinary session of the Assembly and in improving measures to prevent recurrence of this type of tragedy.



## 25TH SESSION (EXTRAORDINARY) OF ICAO ASSEMBLY

The 25th extraordinary session was held April 24–May 10 for the sole purpose of considering proposals for the amendment of the Chicago Convention to ban the use of force against civil aircraft. It was attended by 107 contracting states, 1 non-contracting state (German Democratic Republic), and 11 international organizations. After consideration of initial proposals for amendment made by Austria, France, the United States, the U.S.S.R., and other states, a working group of 23 states, including the United States, was created to draw up the text of a new Article 3 *bis*. The working group agreed on the following first three paragraphs of the Article: (a) contracting states recognize that every state, without modifying in any way states' rights and obligations under the UN Charter, must refrain from resorting to the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the aircraft must not be endangered; (b) contracting states recognize that every state, in the exercise of its sovereignty, is entitled to require the landing at some designated airport of civil aircraft flying above its territory without authority, or if there are reasonable grounds to conclude that it is being used for any purpose inconsistent with the aims of the Convention, the state may give other appropriate instructions. Each contracting state agrees to publish its regulations regarding interception of civil aircraft; and (c) requires that every civil aircraft comply with an order given in conformity with (b) and that contracting states establish all necessary provisions in their laws and regulations to make such compliance mandatory for civil aircraft under their jurisdiction and make any violation punishable by severe penalties.

Paragraph (d) on misuse of civil aviation had originally been proposed by Poland and appealed to the developing countries but was the most difficult paragraph for which to find generally acceptable language. Dr. Assad Kotaite, who is also President of the Council, negotiated language providing for each contracting state to take appropriate measures to prohibit the deliberate use of its civil aircraft for any purpose inconsistent with the Convention. This provision is not to affect paragraph (a) or derogate from paragraphs (b) and (c). Article 3 *bis* was approved unanimously by the Assembly, but will not come into force until 102 contracting states have ratified it.

The Assembly also adopted a resolution which urged all contracting states to ratify Article 3 *bis* as soon as practicable. Another resolution, also adopted unanimously by the Assembly, called on contracting states to cooperate to the fullest extent practicable to reduce the need for interception of civil aircraft and to improve coordination between military and civil communications systems and air traffic control agencies; also, as far as practicable, to harmonize

procedures for interception of civil aircraft when issuing regulations for their state aircraft and to seek adherence to uniform navigational and flight operational procedures by their civil aircraft crews. The Council was requested to ensure that the work being undertaken by the Air Navigation Commission and the Legal Committee be continued.

## LEGAL SUBCOMMITTEE

A Subcommittee of the Legal Committee, which met September 25–October 3, unanimously concluded that the question of drafting a separate instrument on the interception of civil aircraft could best be considered only after the entry into force of Article 3 *bis* and in the light of completion of the current work of the Air Navigation Commission and the Council in respect of the review of ICAO Standards, Recommended Practices, and guidance material on the subject of interception of civil aircraft. Subject to the foregoing, the Subcommittee recommended that the Council should consider in the meantime whether provisions should be developed by ICAO concerning events following the landing of an intercepted civil aircraft.

## AIR NAVIGATION COMMISSION

One of the important technical proposals before the Air Navigation Commission during the year related to extended range operations by twin-engined aircraft. Under the so-called “90-minute” rule, developed by ICAO more than 30 years ago for piston-engined aircraft, the operation of aircraft has been limited to routes where the aircraft is never more than 90 minutes’ flying time at normal cruise speed from an airport suitable for landing. However, due to their limited range, twin-engined aircraft had rarely been flown on routes where the maximum time to an alternate airport was even as long as 60 minutes. With the development of new long-range, twin-jet aircraft, such as the Boeing B-767 and Airbus Industrie A-310, the ICAO Secretariat, with the assistance of a study group (composed of experts from the major transport aircraft manufacturing states, engine and airframe manufacturing industry, airlines, and the airline pilot community), had formulated proposals for new safety standards and comprehensive guidance material for their long-range operations.

The Air Navigation Commission made a preliminary review of the proposed new regulations covering specific requirements for engine reliability, special airworthiness requirements, and operating procedures aimed at maintaining a high level of safety and regularity in operation of the new twin-jet aircraft. The Commission then decided that a questionnaire on the subject should be sent to selected states

(including the United States) and international organizations. The replies reflected almost total agreement with some proposals, but widely divergent opinions on the minimum value to be used in relation to a "threshold" time to an alternate airport. Under the threshold concept, a twin-engine jet aircraft would not be allowed to operate on a route where the time at single engine cruise speed to an alternate airport exceeds a threshold approved by the state of the operator, unless the performance and reliability of the aircraft's systems have been determined by that state to be adequate for the operation and the probability of loss of both engines is exceedingly small.

Some states preferred maintenance of the 90-minute threshold, while others, including the United States, preferred a 60-minute threshold. The Commission finally agreed to transmit to contracting states a proposal for an amendment of ICAO Annex 6, Part I, "Operation of Aircraft in International Commercial Air Transport," making this threshold concept an international Standard, but also providing for a Recommended Practice. Under the Recommended Practice, a twin-engine jet previously operating on a route where the flight time at single-engine cruise speed to an alternate airport exceeded the threshold time could continue to operate the route subject to the approval of the state of the operator. The Commission also decided to include guidance material in the Annex which would suggest that until such time as more data and experience were available, a 60-minute threshold time be established. The amendment to the ICAO Annex will be considered by the Council in 1985 after all contracting states have had an opportunity to comment. The proposed changes are of particular interest to the air transport industry, due to the potentially lower operating costs and improved profitability of the new large twin-jet aircraft on some routes. For example, there is a \$10,000 fuel saving in operating a twin-engine B-767 on a 6-hour transatlantic flight as compared with operating a four-engine B-747.

### **THIRD MIDDLE EAST REGIONAL AIR NAVIGATION MEETING**

The Air Navigation Commission is responsible for reviewing the recommendations of the various ICAO technical meetings before they pass to the Council for final approval. One such meeting was the Middle East Regional Air Navigation Meeting, held March 27 to April 13. Represented at the meeting were 31 contracting states, including the United States, and six international organizations. The main purpose of regional meetings is to review thoroughly and revise the ICAO air navigation plan for the region concerned. This was the first full-scale meeting for the Middle East Region in 16 years.

The meeting recommended 31 regular airports for scheduled international operations, 1 additional airport for non-scheduled



operations, 2 more airports for international general aviation only, and 8 alternate airports. A revised air traffic service route structure of 64 routes was designated to handle international air traffic. Particular emphasis was placed on the need for the air traffic service units to have good communications with aircraft on all routes and with other units serving adjacent areas. Agreement was reached on a new rationalized Aeronautical Fixed Telecommunications Network for the region. Requirements for meteorological facilities and services were updated and preliminary plans made for the introduction of the World Area Forecast System. Finally, the meeting emphasized the need for coordinated implementation of the air navigation plan to ensure that the infrastructure available at all times provides for an integrated system for international air navigation.

## **ICAO PANELS**

Much of the work on the formulation or amendment of International Standards and Recommended Practices, which constitute the Annexes to the Chicago Convention, originates in small technical panels. The Dangerous Goods Panel, which had developed ICAO Annex 18, "The Safe Transport of Dangerous Goods by Air," met February 9 to 24 and developed the 1985 edition of the ICAO Technical Instructions, which amplify the Annex. A meeting of the Review of the General Concept of Separation Panel, May 6 to 17, reviewed progress on the feasibility of 1,000 feet vertical separation between aircraft above Flight Level 290 (29,000 feet). Pilot trials have taken place. Data collection and feasibility studies by states, including the United States, will be made in the hope of reaching conclusions by 1987. The Visual Aids Panel, which met March 12-23, completed work on the development of uniform procedures for control of the intensity of airport lights for both night and day conditions. These and many other panels report to the Air Navigation Commission. A few panels, including the Fares and Rates Panel, which met October 9-19, and the Route Facility Costs Panel, which met February 27-March 9 and December 3-7, deal with economic subjects and report to the Council through its Air Transport Committee. All meetings mentioned in this report were held at ICAO's headquarters in Montreal.

## **International Telecommunication Union**

The International Telecommunication Union (ITU) Administrative Council held its 39th session in Geneva, April 2-19, 1984. Considerable controversy accompanied discussion of a Soviet draft resolution on non-peaceful uses of outer space. Consideration of a similar draft had been blocked in 1983, and it was expected that the

Council would once again decline to consider the issue. Australia, supported by the United States and the United Kingdom, took the lead in arguing that the issue should not be taken up since it was essentially a disarmament question and outside the competence of the ITU. The Council voted on the question of its competence to consider the Soviet resolution: 17 to 16 (U.S.), with 7 abstentions. The Chairman, supported by the ITU Secretary General on the advice of the ITU Legal Advisor, ruled that the Council had decided it was competent to consider a Soviet draft resolution. This ruling was, and remains, controversial. The Rules of Procedure of the Administrative Council require at least 19 votes for the adoption of a "proposal or amendment" but only a majority (not accounting for abstentions) for the adoption of a "decision." The term "question" is not found in the Rules of Procedure. The United States and a number of others stated their disagreement with the Chairman's decision, which seemed to equate a "question" with a "decision" rather than a "proposal"; however, the ruling was not formally appealed. Substantive discussion of the Soviet draft was put off until 1985. Procedural actions in the 1985 meeting may be effective to avoid substantive discussion.

In other major action, the Administrative Council adopted the budget and assessment level for 1985. The adopted budget came to 96.3 million Swiss francs, an increase of 6.8% over the previous year. The new budget further advanced implementation of the decision taken by the Plenipotentiary Conference in 1982 to expand regular budget funding of technical cooperation and assistance. The 1985 budget contained 5.9 million Swiss francs for this item, an increase of 59.5% over the 3.7 million Swiss francs in the 1984 budget. The United States did not block adoption of the budget by consensus, since significant reductions in the budgetary level had been achieved during the meeting and the level approved by Council contained zero net program growth, the nominal increase reflecting the rate of inflation in Switzerland. However, if there had been a vote on adoption of the budget, the United States would have abstained.

## **HIGH-FREQUENCY RADIO CONFERENCE**

The first session of the World Administrative Radio Conference for the Planning of the High-Frequency Bands Allocated to the Broadcasting Service, known as the High-Frequency WARC, was held January 10–February 10, 1984, in Geneva. The purpose of the meeting, to which all 158 member nations of the ITU were invited, was to establish technical parameters and planning principles to be applied at the second session, scheduled for fall, 1986. Decisions taken at the two sessions could seriously jeopardize the operations of the Voice of America, Radio Free Europe, and Radio Liberty. The basic problem faced by all participants is that stated needs for use of the

high-frequency spectrum exceed available spaces by nearly 50%. Planning is further complicated by extensive jamming operations by some countries, rendering large portions of the spectrum unusable.

The first session of High-Frequency WARC was non-polemical and characterized by a spirit of compromise on the part of all major participants. It was agreed that a short-term, flexible planning method should be tested to determine its feasibility as a means of meeting the broadcasting needs of the developing countries without adversely affecting the needs of the large broadcasters. The results of the test will be available to the participants in the second session before it meets in 1986. Progress was also made on the jamming issue, reflecting the success of the United States and others in demonstrating that "harmful interference" is a critical element contributing to high-frequency broadcasting congestion. The Conference agreed that means of relief, including the possibility of being assigned use of alternative frequencies, should be found for countries whose broadcasts are affected by jamming. Discussion of extraneous political issues was kept to a minimum, but a number of countries attached political statements to the final report, which will be transmitted to the 1986 session.

## OTHER ITU TECHNICAL BODIES

The International Frequency Registration Board (IFRB), the International Telegraph and Telephone Consultative Committee (CCITT), and the International Radio Consultative Committee (CCIR) perform most of the technical work of the ITU. The task of the IFRB is to ensure the orderly recording of radio frequencies and geostationary orbital positions, which national administrations assign to their radio stations, including their satellite systems. The CCITT and CCIR develop international standards and specifications for telecommunications. While non-binding, these standards and specifications are generally observed by the telecommunication industry worldwide. Recognized Private Operating Agencies, i.e., the private sector entities, participate directly in the work of the CCI's and contribute most of the cost of CCI meetings. The United States plays an active role in the work of all three technical bodies, and an American citizen, Richard S. Kirby, is the CCIR Director.

The CCI's meet in plenary Assembly at 5-year intervals. The CCITT held its 8th plenary Assembly, October 8-19, 1984, in Torremolinos, Spain. It adopted some 500 revised standards and recommendations and approved a work program for the next 5-year cycle. The U.S. Delegation at the Assembly consisted of government and private-sector experts. There were a number of meetings, primarily in Geneva, of the 15 CCITT study groups and their working



parties to prepare contributions and recommendations on international telephone, telegraph, telex, and tariff matters.

CCIR working groups, composed of experts from the United States and other countries, made significant progress toward developing studio standards for high definition television (HDTV). This item is of critical interest to the United States in that it will considerably facilitate the worldwide distribution of television program material.

The CCIR convened in Geneva, June 25–July 20, 1984, a Conference Preparatory Meeting (CPM) for the World Administrative Radio Conference on Space Services (Space WARC). Representatives from 61 countries attended to exchange views on the technical aspects of the international arrangements for coordinating the operations of communication satellites. The central issue was whether or not the meeting report would attempt to limit for the Space WARC the possibility of considering the whole range of alternatives from the rigid *a priori* planning methods to the use of the existing ITU procedures with regard to access to the geostationary satellite orbit. The developing countries fought for an outcome which would have presumed that only *a priori* planning methods could be considered at the Space WARC. The developed countries, while having difficulty sustaining a coordinated response, wanted to assure a balanced presentation of the planning methods which would keep the options open. The United States was able to incorporate comprehensive technical submissions into the final CPM Report.

The IFRB began planning the extensive work to be performed in preparation for the second session of the High Frequency Broadcasting Conference in 1987. Among these activities was the development and testing of a computerized planning method in accordance with the guidelines established by the first session of the Conference. Additionally, as directed by the first session, the IFRB organized and carried out the first of several monitoring programs to identify sources of harmful interference (jamming).

## Universal Postal Union

Solomon Islands and Kiribati became members of the Universal Postal Union (UPU) in 1984. At the end of the year, the UPU considered its total membership to be 167.

The 40-member Executive Council is the Union's administrative body, and the 35-member Consultative Council for Postal Studies is its technical study body. Both meet annually at the UPU headquarters in Bern, Switzerland. The United States was elected to both bodies by the 1979 Rio de Janeiro Congress for the 5-year term 1980–84 and served as chairman of the Finance Committee for that period.

## **EXECUTIVE COUNCIL**

The Executive Council met February 27 through March 8, 1984. This was the final session of the Council which had been elected in 1979 to administer the work of the Union for the period 1980-84. It adopted the 1985 budget at 22,961,300 Swiss francs. Taking into consideration expected administrative receipts, the assessment figure was set at 20,022,000 Swiss francs. The U.S. contribution of 940,000 Swiss francs was approximately 4.7% of total assessments.

## **CONSULTATIVE COUNCIL FOR POSTAL STUDIES**

The Consultative Council for Postal Studies (CCPS) met October 29–November 2 to prepare its work program for the 1985–89 period. The CCPS will conduct 42 technical postal studies, which will be organized under seven committees: (1) Traffic Development; (2) Postal Operations; (3) Mechanization, Automation, Computerization, Buildings, and Motor Transport; (4) Service Quality; (5) Staff; (6) Management; and (7) International Post: High-speed Services. The latter emphasizes the operation, marketing, and interadministration relations in the improvement and expansion of the international express mail network. The United States will head up the operation segment of Committee 7 and also participate fully in the other areas of the CCPS program.

## **HAMBURG CONGRESS**

Every 5 years the UPU holds a Congress, to which all members are invited. The Congresses update and otherwise modify the UPU agreements which govern most aspects of international mail exchange. The 19th UPU Congress met in Hamburg, Federal Republic of Germany, June 15–July 26, 1984. Delegates representing 152 member nations attended and debated some 1,000 technical proposals.

Among the more controversial questions debated at the Congress was the membership of South Africa and Israel in the UPU. After lengthy discussion, a resolution purporting to expel South Africa from the Union was approved 77 to 46 (U.S.), with 10 abstentions. The United States and 25 other member nations entered formal statements at the time of signing the final Acts, declaring the action to be contrary to the UPU Constitution and without legal effect. The resolution was similar to one passed by the 1979 Rio de Janeiro Congress, except that the 1984 resolution declared that South Africa could not re-accede to the Union so long as it maintained its policy of apartheid. As a separate matter, the Arab States introduced a resolution calling for the expulsion of Israel from the Union. The Congress voted 73 (U.S.) to 32, with 15 abstentions, to adjourn debate

on the item for the duration of the Congress, thus avoiding a substantive decision.

In the financial area, the Congress adopted a new  $\frac{1}{2}$ -unit contributory class (reserved for UN-designated least advanced countries) and set the following budget ceilings for the next 5 years:

1986	22,601,400	Swiss francs
1987	23,028,100	" "
1988	23,376,900	" "
1989	23,798,100	" "
1990	24,189,800	" "

The Congress also elected a new Director General of the UPU's International Bureau (Secretariat), to serve a 5-year term beginning January 1, 1985. The successful candidate, Adwaldo Cardoso Botto de Barros (Brazil), was chosen from a field of four. He succeeded Mohamed Sobhi (Egypt), who had served for two 5-year terms.

On technical issues, the United States submitted 28 proposals for changes in the UPU Acts to enable the U.S. Postal Service and its customers to engage in international mailings with greater ease and effectiveness. Of these proposals, 17 were accepted. The next EC or CCPS will take up seven proposals for study. In addition, a very high percentage of proposals supported by the United States and sponsored by other administrations or UPU bodies was accepted. Major topics in this category dealt with strengthening international mail accountability provisions in the UPU Convention, terminal dues on mail imbalances, international postage rates, transit charges, improved statistics on mail exchanges, and international express mail service.

At this Congress, the United States became a signatory to the UPU Parcel Post Agreement, thus eliminating the need for negotiating numerous separate, bilateral parcel post arrangements. This agreement will considerably reduce the administrative workload for the U.S. Postal Service.

The United States was elected to membership on the Executive Council and CCPS for the 1985-89 period and was accepted as host for the next UPU Congress, scheduled for 1989. The United States will chair the Executive Council's Committee on Letter Post: Regulatory Aspects.

## International Labor Organization

U.S. participation in the ILO in 1984 continued to build on the successes of 1983. The Organization's annual conference turned aside a concerted Soviet effort to undermine ILO activities in the human rights field. The Commission of Inquiry established by the Governing Body last year to investigate the suppression of trade union rights in



Poland in June released a strongly critical report which the Soviet bloc unsuccessfully attempted to sidetrack. The Conference adopted without vote the report of its Committee on the Application of Conventions and Recommendations. Israel's right to participate in the Asian Regional Conference, an ILO subsidiary body, was upheld by the Governing Body in February by a close vote, and no anti-Israel resolution was submitted to the annual conference.

Francis Blanchard, whose re-election we supported last year, began his third term as Director General in February.

## INTERNATIONAL LABOR CONFERENCE

The 70th session of the International Labor Conference convened in Geneva June 6-26, 1984. It was attended by 2,000 government, worker, and employer delegates and advisers, in accordance with the organization's unique tripartite structure.

The U.S. Government Delegation was led by Ambassador Robert W. Searby, Deputy Under Secretary for International Affairs, and U.S. Representative to the ILO Governing Body, U.S. Department of Labor. Anthony G. Freeman, Special Assistant to the Secretary of State for International Labor Affairs, served as the other government delegate and chief political adviser. The U.S. employer delegation was led by Charles H. Smith, Jr., of Ohio, Chairman of the Board, SIFCO Industries. Irving Brown, the AFL-CIO's Director of International Affairs, headed the U.S. worker delegation. Representative John Erlenborn of Illinois attended the Conference as a congressional adviser.

Anna-Greta Leijon, Swedish Minister of Labor, was unanimously elected president of the Conference.

President Luis Alberto Monge of Costa Rica addressed the Conference on June 12. He called on Central American nations to solve their problems through economic adjustment and social reform rather than by military means. Delegates from a group of Arab countries walked out during the speech to protest Costa Rica's decision to maintain its embassy in Jerusalem instead of transferring it to Tel Aviv.

The report of the Director General, upon which the general debate focused, dealt with the formulation and implementation of international labor standards. In addition, the Conference adopted a supplementary recommendation to Convention 122 on employment policy, a resolution on employment, a resolution on productivity, and a resolution strengthening action for the least developed countries. (For details, see below under the heading "Resolutions" and "Technical Committees".)

In another important action, conference delegates elected government, worker, and employer members of the Governing Body for the

1984-87 term. The 56-member Governing Body comprises 28 government members—of which 10 (including the United States) hold non-elective seats as states of chief industrial importance, 14 employer members, and 14 worker members.<sup>22</sup>

B.G. Deshmukh, Permanent Secretary of India's Ministry of Labor and Rehabilitation, was unanimously elected Chairman of the new Governing Body for the year 1984-85.

## HUMAN RIGHTS

Several especially significant developments in the field of ILO human and labor rights occurred in 1984. Foremost among these was the defeat of a concerted Soviet effort to overhaul the ILO's supervisory machinery (the procedures and institutions established by the Organization to promote implementation of its conventions, the most important of which concern such subjects as freedom of association and the abolition of forced labor).

In 1983 the Representative from the German Democratic Republic, acting on behalf of the "socialist" countries, introduced a memorandum accusing ILO supervisory organs of making "tendentious and one-sided assessments of the law and practice of socialist and developing countries" and pretending to become "a kind of supranational tribunal." The memorandum called for their re-examination, the purpose of which was to be the "democratization" of the supervisory machinery.

At the 1984 Conference, the Soviet Union and its allies followed up their pronouncements of the previous year by formally submitting a resolution proposing to establish a conference working party that would recommend "improvement" of the ILO's supervisory activities.

In response to this Soviet initiative, which we considered a significant threat to the organization's most basic purposes, the United States took a number of actions designed to minimize the likelihood of the resolution's adoption. Among these was the appointment of Andrew E. Gibson of New Jersey as the President's Special Envoy on ILO matters with the rank of Ambassador. His mission was to demonstrate our support of the ILO and strengthen opposition to this Soviet effort to weaken the organization among our friends from the industrialized market economy countries (IMEC) and the Third World. To accomplish his mission, Ambassador Gibson visited 23 countries in Europe, Latin America, Asia, and Africa where

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<sup>22</sup>The newly elected government members are: Argentina, Canada, Jamaica, Nicaragua, and Venezuela from the Americas; Algeria, Angola, Burkina Faso, Ethiopia, Ghana, and Zimbabwe from Africa; Finland, Hungary, and Ukrainian S.S.R. from Europe; and Iraq, Indonesia, Mongolia, and Pakistan from Asia. In addition to the United States, the other non-elected members are: Brazil, China, France, Federal Republic of Germany, India, Italy, U.S.S.R., and United Kingdom.

he conferred with ILO officials in the months leading up to the June Conference.

When the conference convened in June it became the task of its resolutions committee to establish the order in which all of the 17 proposed resolutions, including the Soviet resolution, would be considered. Given the limited time of the Conference and the likelihood that it would not be able to consider more than two or three resolutions, it was important to muster enough votes to ensure that the Soviet resolution was not among the top five. The final vote marked a decisive rejection of their resolution. It only received enough votes to qualify for sixth place, ending any likelihood that it would be considered at the Conference.

The Soviet setback can be attributed to several factors. Western-oriented worker and employer delegates concentrated their votes on a previously agreed slate of technical resolutions, and most IMEC delegates in a show of solidarity supported that slate. The voting also revealed that the Soviets failed to rally widespread Third World support. The Report of the Conference Committee on the Application of Conventions and Recommendations (CACR) was unanimously adopted without a vote this year. In 1983 it was adopted by secret vote, and in 1982 it was defeated. The Committee's major cases included:

### **Guatemala**

After many years of concern regarding the application by Guatemala of the Freedom of Association and the Forced Labour Conventions, the Committee noted with satisfaction that the state of alert, which had suspended trade union activities, was over and that a process of democratization had begun which could lead to the re-establishment of freedom of association. The Committee requested that a draft legislative decree covering these matters be submitted for examination and that ILO technical assistance be given to the Government of Guatemala with a view to the rapid adoption of this Legislation.

### **Haiti and the Dominican Republic**

The Committee called on both countries to take measures to put into effect the recommendations of an ILO Commission of Inquiry that had examined the employment of Haitian workers on sugar plantations in the Dominican Republic with respect to Conventions 29 (forced labor), 95 (protection of wages), and 105 (abolition of forced labor).



## Iran

The Committee expressed its profound concern over the situation in Iran with respect to Convention 111 (discrimination in employment and occupation) and the treatment of Baha'is. It addressed an earnest appeal to the government to reexamine its position so as to ensure that no discrimination is practiced in contravention of the Convention on the basis of sex, religion, political opinion, national extraction, or social origin.

## Peru

This case involved Convention 105 (abolition of forced labor) and Peru's penal code, under which, when offenses are committed by "savages" as opposed to a "civilized man," the judge may substitute an assignment to a agricultural penal colony for an indefinite period of up to 20 years in place of a sentence of imprisonment. The Committee expressed the hope that the government would in the near future make every effort to ensure effective application of the Convention.

## Czechoslovakia

Czechoslovakia was the target of special criticism for refusing to cooperate with the ILO's supervisory procedures. Following its censure in 1983 for not respecting Convention 111 concerning discrimination in employment and politically motivated dismissals, Czechoslovakia wrote the ILO and said it would henceforth refuse to cooperate with the organization's supervisory machinery. When the CACR report, which regretted their failure to participate, was considered by the Conference plenary, the Czechoslovakian Government Delegate explained his country's boycott of the CACR discussions by arguing that it was being unfairly persecuted.

In addition to cases of criticism, the CACR report cited a number of cases in which countries had introduced helpful changes in their law and practice. In particular, the Committee's report noted with satisfaction Argentina's return to a democratic system and improvements to facilitate trade union activities under Convention 87.

## The Polish Case

The Commission of Inquiry established by the ILO Governing Body in May 1983 released its report in June. The Commission concluded that the dissolution of the trade union Solidarity infringed the guarantees of Convention 87 (freedom of association) by denying Polish workers a free choice of trade union organizations; large numbers of workers remain loyal to Solidarity, and the present situation does not offer them the possibility of joining unions of their

own choosing; minimum rules for the treatment of prisoners were not always observed during the period of martial law; and with regard to the deaths of trade union members and leaders, not only trade union rights but also rights connected with life and security of persons were violated while martial law was in force.

In addition to urging that Poland amend its laws and regulations to conform to Convention 87 and 98 (right to organize and collective bargaining), the Commission recommended that the government should initiate a full and unprejudiced exchange of views with representatives of the various trade union trends in Poland; and it should recognize the necessity of fully re-establishing the civil liberties set out in the Covenant of Civil and Political Rights and observe the provisions of the Helsinki Final Act.

The Governing Body considered and gave final approval to the Commission's report in November by a vote of 31 (U.S.) to 10 (U.S.S.R.), with 12 abstentions. The vote was preceded by intensive Soviet lobbying to have the issue deferred. Following the vote, Poland gave formal notification of its intention to withdraw from the organization in 2 years, asserting that the Governing Body's action represented "yet another manifestation . . . of anti-Polish actions in the ILO." In his reply, the Director General noted that the Governing Body's decision "fully conforms with the procedure envisaged by the Constitution of the ILO to which Poland had fully subscribed in becoming a member of the organization" and that the "same procedure has been strictly followed in all other cases where commissions of inquiry have been established . . ."

The Ambassadors from the eight other "socialist" member states of the ILO<sup>23</sup> wrote the Director General on November 23 to protest the "politically biased, anti-Polish decision" of the Governing Body, charging that it represented an "open intervention in the internal affairs of a sovereign state" and the use of the ILO as a "forum . . . to foster a hostile attitude toward the socialist countries and to belittle their unchallengeable achievements in the field of social policy for the benefit of all the working people." The letter went on to charge that ILO universality had been undermined and to threaten that the "socialist" countries "will draw appropriate conclusions from this situation, reserving the right to take suitable measures to continue their active support of Poland's stand with respect to the ILO."

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<sup>23</sup>Bulgaria, Byelorussia S.S.R., Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Ukrainian S.S.R., and the U.S.S.R.

The Director General, in his response, rejected any reference to "actions hostile to Poland" and reminded the Soviet correspondents that

The decision to ratify international labour conventions is a matter for the sovereign appreciation of member states. When a government has freely decided to subscribe to a Convention, the inevitable result is that it becomes bound by a number of obligations in accordance with the Constitution. In the present case the action taken by the Governing Body at its 228th Session was the final stage in a procedure resulting from an obligation to which Poland, as a Member of the ILO, had freely subscribed in ratifying Convention No. 87.

The Polish case will now be referred to the ILO's regular supervisory machinery where it will be reviewed by the Committee of Experts, a 20-member committee of eminent jurists who serve in their personal capacities, and by the CACR, probably at the next Conference.

## RESOLUTIONS

The Conference adopted three resolutions by consensus. One concerned the "Contribution of the ILO to Productivity Improvement with Special Reference to Developing Countries," proposed by various employer delegates. The second concerned the "Strengthening of Actions for the Least Developed Countries," proposed by various worker delegates, including the U.S. worker delegate. The third resolution concerned Employment Policy and called on the Governing Body to assess the impact of international and national policies on employment levels and, *inter alia*, on the Director General to ensure that international agencies responsible for economic and financial policies take ILO views into account.

## APARTHEID

As in 1983, the Conference Committee on Apartheid produced conclusions far exceeding the ILO's competence and bypassing its established procedures. Some reiterated earlier calls for the diplomatic isolation of South Africa and criticized the United Kingdom, Switzerland, Italy, the Federal Republic of Germany, Belgium, France, Portugal, and the Vatican for receiving Prime Minister Botha of South Africa as an official or unofficial guest. Others concerned the role of trade and foreign capital, private foreign investment, and support for an oil embargo, all of which are matters that fall outside the ILO's mandate and competence.

Although U.S. reservations and those of several other delegates were recorded in the Committee's proceedings, the United States felt that it was necessary once again to demonstrate the seriousness of its concerns and underscore its objections to the conclusions. Thus, it



called for a vote on them in Committee. The results were, as expected, a lopsided vote in favor of the conclusions. However, for the first time the U.S. Government Delegate was not alone in voting "no." Employer delegates from the Federal Republic of Germany, the United Kingdom, and the United States also joined in the negative vote. Government delegates from France and Ireland abstained, as did the Canadian employer delegate. In statements to the Committee, the United States condemned apartheid and its denial of human rights to South Africa's majority population but noted the fundamental disagreement by the United States with the idea that the cause of South Africa's black majority would be advanced by measures aimed at isolating the South African Government.

When the Apartheid Committee's conclusions reached the plenary, the U.S. Government Delegation did not call for a vote, recalling instead our earlier vote in Committee and our hope that next year the Committee's work would conform to the ILO's mandate and consist of practical measures by which the organization could combat the evil of apartheid. The plenary subsequently adopted the Committee's conclusions by consensus.

At 1984 Governing Body sessions, the United States participated actively in the work of the Governing Body Committee on Discrimination, which has as its primary focus the question of apartheid in South Africa. This principally involved preparing a response to the ILO's annual questionnaire seeking information on steps taken to implement the 1981 "Updated Declaration Concerning the Policy of Apartheid in South Africa." As has been our policy in the past, the United States responded to those sections of the questionnaire it believed to be within the ILO's mandate. It also sought to emphasize its abhorrence of the system of apartheid and its commitment to multiracial democracy in South Africa, urging members to put aside political rhetoric in favor of realistic measures that will ultimately lead to the peaceful elimination of apartheid.

## **TECHNICAL COMMITTEES**

The ILO's more technical work was carried out by four committees. However, this year only one of these forwarded a new standard to the Conference plenary.

### **Committee on Employment**

The work of this committee was devoted to drafting a new supplementary recommendation to Convention 122 on employment policy. As was the case during the first discussion of this topic in 1983, the central issue remained the notion of "right to work." The Soviets and their allies once again urged the adoption of an open-ended,

undefined concept that would fit its own interpretation of right to work as meaning a guaranteed, approved and obligatory job and income for all. The United States views this as a mask for policies of forced and directed labor.

Thus, it was once again a key U.S. objective to ensure that the right to work was appropriately defined to include a requirement for freedom of choice. This objective was achieved when the Committee agreed to define the concept as "the promotion of full, productive and freely chosen employment."

Despite this success, however, neither the U.S. Government delegates nor the U.S. employers were able to support the recommendation as it finally emerged. Objectionable provisions on technology policy, international readjustment funds, and disarmament would not allow them to support final adoption. The U.S. workers' delegate supported the recommendation. The final vote was 374 (U.S. worker) to 1 (U.S. employer), with 34 abstentions (U.S. Government).

### **Committee on PIACT**

PIACT is the French acronym for the International Program for the Improvement of Working Conditions and Environment. The Committee's purpose was to evaluate the program's activities since its beginning in 1976 and to draft conclusions on its future activities. The Conference considered that the program should be continued and strengthened so as to promote wider awareness of the social and economic importance of improving working conditions and environment. The U.S. Government, workers, and employers supported the Committee's conclusions.

### **Committee on Occupational Health Services**

This committee engaged in the first of two discussions with a view to the adoption in 1985 of a convention and recommendation in this field. In its conclusions, it stressed the need to place the mission and functioning of these services in the framework of a coherent national policy for the protection of workers' health and safety. The U.S. Government Delegates and the U.S. worker Delegate supported the committee's conclusions. The U.S. employer Delegate supported their intent but noted several "defects," which he hoped could be corrected during the 1985 debate.

### **Committee on Conventions 63 (Statistics)**

The Conference began the process, to be completed in 1985, of revising Convention 63 on statistics of wages and hours of work, which was adopted in 1938. In its general provisions the proposed new

convention would require the collection and publication of labor statistics which should be progressively expanded to cover the structure and distribution of the economically active population, employment, unemployment, and underemployment. Coverage would also include earnings and hours of work, wage structure, labor cost, consumer prices, household expenditures, occupational injuries, and industrial disputes. All three elements of the U.S. tripartite delegation supported the Committee's conclusions.

## **OTHER ISSUES**

Two remaining issues concerning participation in ILO subsidiary bodies merit comment.

In an extremely close vote at the March Governing Body meeting, Israel's request to participate in the Asian Regional Conference was approved by a vote of 32 (U.S.) to 16, with 5 abstentions. This vote followed a secret ballot on a motion to postpone action, which failed to carry on a tie vote of 27 to 27 (U.S.), with 1 abstention. The United States viewed the Governing Body's decision as consistent with our policy of upholding Israel's right to participate fully in all aspects of the ILO's work. Asian governments, led by the Arabs and supported by the Soviets and their allies, strenuously opposed the decision.

In June the United States announced its intention to seek a place on the Board of Directors of the ILO's International Center for Advanced Technical and Vocational Training in Turin, Italy. The Center provides residential programs designed for directors of technical and vocational training institutions, senior and middle-level managers in private and public enterprises, trade union leaders, and vocational training instructors. The U.S. decision to participate on the Board demonstrates our renewed interest in the Center and a recognition that both its program and financial affairs have improved in recent years. In this latter regard, however, we noted that we intend to work for further improvements as members of the Board. At the Governing Body meeting following the annual Conference, U.S. membership on the Board was approved.

## **World Meteorological Organization**

The membership of the World Meteorological Organization (WMO) reached a total of 158 (153 states and 5 territories which maintain their own meteorological services) when Brunei joined the organization in 1984.

The major event of 1984 was the 36th session of the Executive Council, held in Geneva in June 1984, which established program decisions for the organization. The Council is composed of 36 directors of national meteorological or hydrometeorological services who serve



in an individual capacity. It meets at least once a year to supervise the implementation of the programs approved by the Congress, which is the supreme body of the organization. The Congress, which last met in 1983, brings together the delegates of all members once every 4 years to determine general policies and budgetary requirements for the fulfillment of the mandate of the organization. An important document before the Council was the report prepared by the working group on Long-Term Planning. The first long-term plan (1984-1993) was studied in detail, and directives were given for the preparation of the second WMO long-term plan (1988-1997) for presentation to the next Congress in 1987. It was emphasized that the WMO long-term plan should reflect the significance of Meteorological and Hydrological Services in supporting the socioeconomic activities of Members.

## **WORLD WEATHER WATCH**

The Executive Council reaffirmed that the World Weather Watch (WWW) is the basic program of the WMO, and that its activities are essential for the implementation of the other programs, such as agricultural, aeronautical, and marine meteorology, as well as those undertaken jointly with other international bodies. The Council agreed that WMO should proceed with an intensified WWW implementation program in extraterritorial areas to obtain improvement in ocean data coverage. They also agreed to improve WWW facilities in developing countries, thus enabling them to contribute to the collection and transmission of reliable meteorological and climatological data.

Although there had been considerable progress during the previous years in many aspects of the WWW, the Executive Council recognized that there were still deficiencies which called for speedy remedial action. These considerations led the Council to take action urging members to participate in worldwide efforts to make greater use of new, more efficient technology. In this respect, further steps were taken to keep members informed of meteorological and environmental satellite systems. The Council noted that the continued operation of two polar-orbiting NOAA satellites by the United States was by no means certain. The Council stressed the importance of the global coverage of output products and coverage achieved with the second polar-orbiting satellite and the importance of this information. The Council urgently appealed to the United States to continue operating the two polar-orbiting NOAA satellites.

## **WORLD CLIMATE PROGRAM**

The World Climate Program (WCP) was established in 1979 in response to widespread concern about possible changes in the global climate and the consequent economic, social and environmental effects. The Council agreed that the WCP will be maintained with its four components: data, applications, impact studies, and research.

For the overall coordination of the WCP, the WMO relies on the Advisory Committee for the World Climate Application and Data Programs; the WMO International Council of Scientific Unions (WMO/ICSU) Joint Scientific Committee for the World Climate Research Program (WCRP); UN Environment Program (UNEP); Scientific Advisory Committee for the World Climate Impact Program (WCIP); as well as the executive heads of other international organizations invited to participate in the WCP. The timely availability and accessibility of climate data will continue to be important in studies related to climate applications, impact and research. The program also gives attention to other important subject areas such as urban meteorology, biometeorology, drought, and the UN Action Plan to combat desertification. The World Climate Research Program seeks to determine to what extent climate can be predicted and the extent of man's influence on climate. The Executive Council in 1984 agreed that first priority should be given to the cloud climatology and radiation plan of the WCRP with ocean-atmosphere interaction as second priority. The WMO/ICSU Joint Scientific Committee was requested to present to the Council in 1985 a summary of its discussion on the consequences of possible nuclear conflict on the earth's atmosphere and climate. The lead UN agency for the World Climate Impact Program (WCIP), which is concerned with the overall impact of climatic variability and change on various sectors of human activity, will continue to be the United Nations Environment Program in close cooperation with WMO. Significant progress was made by UNEP in the WCIP during 1984.

## **HYDROLOGY AND WATER RESOURCES PROGRAM**

The main emphasis of WMO activities in this area continues to be placed on the Operational Hydrology Program (OHP), including the Hydrological Operational Multi-purpose Sub-program (HOMS). As in the past, activities are oriented toward the economic and social goals established by the UN Water Conference (1977). The HOMS National Reference Centers (HNRC) has now been established by 71 members. This program has been very successful and has become an integral and important part of WMO's activities. The WMO has continued its cooperation with UNESCO and other organizations of the United Nations system in joint projects of water-related activities.

## RESEARCH AND DEVELOPMENT

The Commission for Atmospheric Sciences (CAS) has the lead role within WMO in promoting and coordinating Members' research activities. Progress in 1984 was made in such diverse areas as improvement of short-, medium-, and long-range weather prediction, tropical meteorology, weather modification, and environmental pollution monitoring and research. Environmental pollution activities include research on acid rain and the monitoring and exchange of pollutants between the atmosphere and the oceans.

## TECHNICAL COOPERATION

The United Nations Development Program (UNDP) continued to be the major source of funds for WMO's technical cooperation activities providing \$11.3 million—or 53% of the total budget in 1983 for development in meteorology and operational hydrology. No significant change in level of support was expected in 1984. The Voluntary Cooperation Program (VCP) provided continued support for projects not covered by UNDP. Emphasis of VCP programs continued to be placed on multi-country or regional projects, mainly for improvement of WMO's Global Telecommunication System. The VCP was established in 1967 at the urging of the United States to enable developing countries to participate more fully in the activities of the WMO by providing them with equipment and training.

## EDUCATION AND TRAINING

The WMO Education and Training Program embraces a wide range of activities of the organization and is an important mechanism for the effective transfer of knowledge and proven methodology to operational personnel in national meteorological, hydrometeorological, and hydrological services.

Training publications, including compendia of lecture notes in various fields, are being extensively used by national and regional training centers, and their value will be increased by translation into all the official languages of the Organization. To assist the WMO Regional Meteorological Training Centers, a WMO training book loan service was implemented on a trial basis for the next 3 years. It was agreed that the training courses, seminars, workshops, and symposia of the Organization should be continued, bearing in mind the special need for training instructors and technicians.

## BUDGET

The budget for 1984, the first year of the Ninth Financial Period (1984–87), was \$18,750,000. The Secretary General's proposal for



1985 established a balance among the different programs, and between program activity and staffing, while at the same time keeping the budget close to zero real growth. The Executive Council approved a final budget of \$19,480,000 for 1985 with the proviso that there be no increase of staff over 1984, i.e., 245 posts.

## **International Atomic Energy Agency**

Since the beginning of the nuclear era, those involved with nuclear energy have recognized that some of the nuclear materials and technology used in peaceful nuclear development programs could be diverted and adapted for use in the production of nuclear explosives. It was also widely recognized that the further spread of nuclear explosives would pose a serious threat to the peace and security of all states. Consequently, members of the international community came to realize that if the many peaceful benefits of nuclear energy were to be made widely available, some mechanism was essential to provide credible assurance that nuclear material and technology in peaceful nuclear programs continued to be used exclusively for peaceful purposes.

Prompted by this realization, the United States led the effort to establish the International Atomic Energy Agency (IAEA), which came into existence in 1957. The Statute of the IAEA clearly reflects the awareness of the its drafters that the IAEA must play a dual role in the international nuclear community, and specifies that the IAEA should seek to "accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world . . ." and to do so in a manner which ensures "so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose." Thus, the IAEA is called upon to play both a promotional role in peaceful nuclear development and to serve as a deterrent against the misuse of nuclear material for nonpeaceful purposes. To assist in the development of nuclear energy, the IAEA provides technical assistance to many of its developing member states. The IAEA performs its deterrent role through the application of international safeguards.

The safeguards system is a unique system of international verification and includes both on-site international inspection at the nuclear facilities of sovereign states as well as independent measurements and recordkeeping by the IAEA. The system is in no way designed to control or regulate national nuclear programs. Rather, its purpose is to deter through threat of timely detection the diversion of nuclear material from peaceful to non-peaceful purposes.

The day-to-day implementation of IAEA programs is conducted by the IAEA Secretariat, headed by Director General Hans Blix

(Sweden), and located in Vienna. Policy review and guidance is provided, *inter alia*, by the 35-member Board of Governors, which generally meets in February, June, and September in conjunction with the annual meeting of the IAEA General Conference. The General Conference is open to participation by all of the 112 members of the IAEA, and serves as a forum for discussion of a range of issues among members.

The IAEA has long been regarded as one of the most effective and well managed international technical organizations. During 1984, the IAEA Secretariat and IAEA members dealt with several difficult issues, which served to underscore both the continued effectiveness of the organization as well as its central role in international efforts to prevent the further spread of nuclear weapons.

## **BOARD OF GOVERNORS**

One of the most important developments for the IAEA during 1984 occurred on January 1, when the People's Republic of China officially became the 112th member of the Agency. China's entry into the IAEA raised the question of Chinese representation on the Board of Governors. The original drafters of the IAEA Statute recognized the important role which those states most advanced in nuclear technology would play in shaping the work of the IAEA and providing support for its programs. Consequently, as part of the composition of the Board, the Statute provides for representation of the "nine members most advanced in the technology of atomic energy . . ." While there was broad agreement that China should be accorded a "globally most advanced" seat on the Board, it was by no means clear how this could be accomplished in a manner acceptable to those nine states which were already occupying the "globally most advanced" seats.

The solution to this problem was simply to increase the number of "globally most advanced seats" from 9 to 10. However, this solution requires amendment of the IAEA Statute, which in turn required the support of the entire organization. Throughout the first half of 1984, extensive consultations were held among many IAEA members to define a broadly acceptable means to provide an appropriate Board seat for China. In the end, IAEA members agreed to the limited one-seat expansion of the Board for China and at the same time agreed to continue consultations on the broader question of further Board expansion.

## **IAEA PROGRAMS**

### **Safeguards**

The IAEA's safeguards system serves vital national security and nonproliferation interests for all nations. Consequently, efforts to

improve and strengthen the safeguards system remain a continuing priority. Considerable attention was devoted in 1984 to improving and streamlining existing safeguards techniques and equipment. In addition, those involved with the Agency's safeguards activities, including a number of U.S. experts, sought to define new and effective techniques for applying safeguards to future nuclear installations, including in particular large bulk handling facilities. The United States continued its program of active support for IAEA safeguards and provided more than \$7 million dollars in voluntary contributions toward safeguards development.

A significant development in the safeguards work of the IAEA during 1984 was continued progress toward the entry into force of the Soviet offer made in 1982 to accept voluntary safeguards on certain nuclear facilities in the Soviet Union. This offer represents a rare willingness by the Soviet Union to accept on-site international inspection in the Soviet Union. Conclusion of negotiations between the IAEA and Soviet representatives over the terms of the Soviet voluntary safeguards agreement is expected in early 1985. Once this agreement is concluded, four of the five acknowledged nuclear weapons states, including the United States, United Kingdom, France, and the U.S.S.R., will accept IAEA safeguards inspection on certain nuclear facilities.

In addition to safeguards negotiations with the Soviet Union in 1984, the IAEA was also engaged in safeguards discussions with the Government of South Africa to define safeguards arrangements for a semicommercial enrichment facility being constructed in South Africa. These discussions could result in expansion of the IAEA's safeguards role in South Africa.

While defining improvements in safeguards methodology and expanding safeguards coverage worldwide, efforts also continued in 1984 to reach agreement on a revised long-term safeguards financing formula. Given the central role of IAEA safeguards in reinforcing international peace and stability, all members of the international community are beneficiaries of this system. Consequently, the United States and some other IAEA members have long held the view that all IAEA members should contribute to the financing of safeguards. Thus, while the United States and other developed members of the IAEA have agreed to pay the majority of these costs, developing member states are also assessed small and largely symbolic sums in support of safeguards under a complex formula based on the UN scale of assessments. In recent years, however, some adjustments in assessments have become necessary to ensure that those members best able to provide safeguards funding continue to be assessed their appropriate share. While extensive consultations on proposed revisions continued in 1984, no final agreement on a new scale of contributions



was achieved, and consultations will continue during 1985. The current formula will expire in 1986.

## Technical Cooperation

The Agency's Program of Technical Assistance and Cooperation is a significant part of the IAEA's total operation. In 1984 the IAEA provided technical assistance to approximately 70 of its 112 members. This assistance takes a variety of forms. About 37% of the technical assistance and cooperation program involves assistance in applications of radioisotopes and radiation in agriculture, medicine, biology, hydrology, and industry. Assistance in support of nuclear power and nuclear safety accounts for about another 23% of the program, with the remainder for other nuclear energy activities, e.g., nuclear physics, and chemistry, prospecting, mining and processing of nuclear materials, and general nuclear energy development. Assistance under this program consists of the provision of equipment, training, and fellowships, and the services of experts in the nuclear field.

In addition to safeguards financing, the IAEA dealt in 1984 with the question of funding the Agency's program of technical assistance. While the safeguards program is funded from the assessed budget of the Agency, the technical assistance work is funded from voluntary contributions. In the past, many IAEA developing members have argued that funding of technical assistance through voluntary contributions does not provide sufficient stability and predictability to enable them to pursue effective planning and multiyear projects. The United States and other major donors have argued that funding for technical cooperation has been reasonably assured and predictable, and have strongly opposed funding technical assistance through the Agency's assessed budget.

In 1981, in order to deal with continuing pressures to fund technical assistance from the assessed budget, IAEA members agreed to implement target figures for contributions to the technical cooperation fund. These so-called Indicative Planning Figures (IPFs) went into effect in 1982. Since then, the United States has consistently provided a cash contribution amounting to 25% of the total annual figure for the Technical Assistance and Cooperation Fund (TACF). In 1984 the target for the TACF was \$22.5 million, of which the United States contributed \$5.625 million, and has also made additional support available for the Agency's technical assistance program in the form of training, manpower development, cost-free experts, and fellowships.

In December 1984 the Technical Assistance and Cooperation Committee considered the first report of the Technical Evaluation Unit, established in June 1983. This Unit was established to review

the implementation of technical assistance projects and to make recommendations, as appropriate, to promote the best possible use of existing resources. The work of the Technical Evaluation Unit, headed by an American, has already led to substantial improvements in the implementation of some technical assistance projects and additional progress is anticipated. Virtually all IAEA members represented at the December meeting warmly endorsed the report provided by the Technical Evaluation Unit. Two primary interests prevailed during TACC discussion of the report: the concept of built-in self-evaluation by each project was strongly supported, and the concept of the establishment of a revolving spare parts fund for nuclear medicine equipment also received considerable support. The United States has and will continue to work closely with the IAEA in the implementation of technical assistance to ensure that this program is as responsive as possible to the programmatic needs of developing member states.

## **GENERAL CONFERENCE**

While work by the IAEA Secretariat proceeded constructively in the area of both safeguards and technical assistance throughout 1984, some difficulty was encountered, as anticipated, at the 1984 General Conference in September, which continued debate over the issue of Israeli rights and privileges of membership in the IAEA. This debate originated in response to the June 1981 Israeli attack against a nuclear research reactor in Iraq which was under IAEA safeguards at the time of the attack. The United States has been at the forefront of nations arguing that continued debate in the IAEA over the Israeli issue is unwarranted and counterproductive to the effective use of IAEA resources. Notwithstanding this argument, since 1981 some countries have pursued discussion of possible sanctions against Israel and/or some limitations on Israeli rights and privileges of membership in the IAEA.

While debate continued over Israeli participation at the IAEA in 1983 and 1984, the tone of this debate has moderated to some extent, and a growing number of IAEA members are looking for ways in which to resolve this matter once and for all. The United States has and will continue to work closely with Director General Blix and others to put this matter finally to rest in the General Conference debate. In the meantime, Israel continues as a fully participating member of the IAEA.

During 1984, the IAEA Secretariat was actively involved in the preparation of background papers regarding IAEA activities related to the Non-Proliferation Treaty (NPT). These papers were prepared as part of the documentation being assembled for a major international review of the NPT scheduled for August-September, 1985.

The IAEA papers were considered in some detail at the second meeting of the International Preparatory Committee in October, 1984 and are expected to be discussed again at the third and final meeting of this committee scheduled from April 22–May 3, 1985. As it has for other NPT Review Conferences in 1975 and 1980, the IAEA will provide additional information and background materials as requested by participants in the 1985 NPT Review Conference.

The year 1984 was an important and productive time for the IAEA. Work continued apace in both safeguards and technical assistance to strengthen further the activities conducted under these important programs. Political debate was confined largely to the annual meeting of the General Conference. While debate over Israel continues, it appears that the tone of this debate is moderating. As the IAEA moves forward with its work in 1985, dedicated efforts will continue to put this matter to rest.

## GENERAL ASSEMBLY

In his statement to the 39th General Assembly on November 13, 1984, IAEA Director General Blix said that the Agency's two principal tasks were to promote the peaceful uses of nuclear energy and to assist in the efforts to prevent further spread of nuclear weapons. He noted that during the past year economic recession and efforts to save energy had led to a continuation of the trend towards lower energy demands. Nevertheless, with more nuclear plants beginning operation, there was a steady growth in worldwide production of nuclear power. He said the nuclear industry was seeking ways of becoming more efficient.

He went on to say that nuclear technology has been criticized as being unsuitable for developing countries because it was too advanced or it supposedly did not respond to basic needs. The IAEA believed that every country should take full use of the best technology available if cost-benefit considerations justified it and adequate conditions for using it existed or could be created.

The IAEA, he observed, had no direct role in nuclear disarmament. Nevertheless, four of the five nuclear-weapon states had invited the IAEA to apply safeguards to some or all of their peaceful nuclear activities. He also reported that the IAEA had recently concluded the negotiation of an agreement with the Soviet Union following their voluntary offer to accept IAEA safeguards on some of their peaceful nuclear facilities, which he hoped would soon be approved and signed.

Finally, he referred to the consequences of Israel's attack on an Iraqi nuclear research reactor in 1981 and to South Africa's nuclear potential. He said the General Conference of IAEA had again urged both countries to accept comprehensive safeguards to allay fears in



their respective regions about the nature of their nuclear programs and to open the way to nuclear-weapon-free zones. However, he noted that while some aspects, notably the safeguards aspects, of those two questions fell within the Agency's statutory obligations, a perennial consideration of the broader political ramifications of these issues placed a strain on an organization which is best equipped to deal with technical questions and whose membership met in General Conference for only less than a week each year.

On November 12 a draft resolution entitled "Report of the International Atomic Energy Agency" was introduced in the plenary Assembly by Egypt and cosponsored by Australia and the German Democratic Republic. This draft, *inter alia*, took note of the report and urged all states to strive for effective and harmonious international cooperation in carrying out the work of the IAEA, pursuant to its statute. The resolution was adopted without a vote on the following day. (Resolution 39/12.)

# Trusteeship and Dependent Areas

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UN consideration of dependent area questions is carried out principally in three bodies: the Trusteeship Council, the General Assembly's Fourth Committee (decolonization), and the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (known as the Committee of 24), which reports to the Fourth Committee.

Chapter XI of the UN Charter sets forth the responsibilities of states for "the administration of territories whose people have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged by the General Assembly with making suggestions and recommendations to the Fourth Committee regarding implementation of resolution 1514 of 1960, the "Declaration on the Granting of Independence to Colonial Countries and Peoples." In 1984 the membership of the Committee of 24 (actually 25 members) consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Sweden, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., Venezuela, and Yugoslavia. The United States was a Committee member until 1971, when it and the United Kingdom resigned over a basic disagreement on Committee operation.

Although the number of non-self-governing territories has steadily declined over the years, the United Nations still has considerable interest in areas it considers to be "colonial." In 1984 the Committee of 24 continued to devote most of its attention to Namibia, but considered other territories as well, including American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberations on these U.S. territories in addition to transmitting annual reports on these territories directly to the UN Secretariat, in accordance with Article 73(e) of the Charter.

The Committee of 24 also examined the questions of the status of Puerto Rico and conditions in the Trust Territory of the Pacific Islands. The United States does not consider either to be within the

jurisdiction of the Committee because the Assembly removed Puerto Rico from its list of non-self-governing territories in 1953, and the Charter assigns responsibility for the Micronesian trusteeship solely to the Security Council and its agent, the Trusteeship Council (see below). For these reasons, the United States does not participate in Committee discussions on either of these areas. On August 24, 1984, in a followup to similar action in 1982 and 1983, the Committee adopted an objectionable resolution on Puerto Rico (cosponsored by Cuba and Venezuela), urging Puerto Rican independence. Unlike the 1982 resolution, however, it did not call for the General Assembly to consider Puerto Rico and there was no effort to raise Puerto Rico in the General Assembly. The Committee also adopted conclusions and recommendations concerning the Trust Territory of the Pacific Islands which the United States opposed. The General Assembly's Fourth Committee, at the suggestion of its Chairman, subsequently deferred action on the Trust Territories of the Pacific Islands, ending the issue for 1984.

The Committee of 24 annually considers specific issues affecting the decolonization process, such as the activities of foreign economic and military interests in non-self-governing territories, and the activities of specialized agencies and other UN bodies. In the latter context, the United States has consistently opposed General Assembly resolutions calling for specialized agency cooperation with, and assistance to, "national liberation movements."

The United States is fully committed to the right of all peoples to self-determination. The United States takes basic exception, however, to a view widespread in the Committee of 24 and the General Assembly that equates self-determination with independence. The United States supports the view that independence is merely one possible outcome of an act of self-determination. The essential requirement is that the status of a territory reflects the freely expressed wishes of its people. It is noteworthy that the General Assembly in resolution 1541 of 1960, the so-called Declaration of Friendly Relations, also supported this view when it listed three ways of achieving self-determination: (1) independence; (2) free association with an independent state; or (3) merger with an independent state. General Assembly resolution 2625 of 1970, which the United States supported, added to this list "any other political status freely determined by a people."

The United States believes that the timing and manner of an act of self-determination should be determined by the people of the territory and the administering authority, not by a UN body involved in overseeing the area. It also believes that the question of whether military bases interfere with the right to self-determination can only



be decided on a case-by-case basis, after careful examination of the particular circumstances of the territory in question.

Chapter XII of the UN Charter established an international trusteeship system and Chapter XIII established the Trusteeship Council to oversee the 11 UN trusteeships. The U.S.-administered Trust Territory of the Pacific Islands was designated the sole "strategic trust territory" and is now the only remaining territory under the trusteeship system. In accordance with Article 83 of the Charter, the Security Council is solely responsible for all UN functions relating to strategic territories. The Charter provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to monitor the day-to-day administration of strategic territories. The Trusteeship Council now consists of the United States, as Administrator of the Trust Territory of the Pacific Islands; and China, France, the U.S.S.R., and the United Kingdom, as Permanent Members of the Security Council. (China has not participated in Council activities.)

## TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands consists of more than 2,100 islands spread out over an area of the Pacific equivalent in size to the continental United States. The islands are all small: their total land area is about 700 square miles (1,850 square kilometers), approximately one-half the size of Rhode Island. About 100 of the islands are inhabited, with a total estimated population of 136,500. The Trust Territory consists of three distinct island groups: the Marianas (excluding Guam), the Carolines, and the Marshalls.

Formerly administered by Japan under a League of Nations mandate, the islands came under U.S. control as a result of World War II. Following the founding of the United Nations and the establishment of the Trusteeship System, the United States and the UN Security Council concluded an agreement on July 18, 1947, making the islands a Strategic Trust Territory under U.S. administration. The Trust Territory has been administered by the U.S. Department of the Interior since 1951.

The peoples of the Trust Territory have chosen to divide politically into four separate entities. In 1975 the people of the Northern Mariana Islands voted to separate from the rest of the Trust Territory and to join the United States in commonwealth status following termination of the Trusteeship Agreement. The Northern Mariana Islands already function as a separate administrative unit which has a popularly elected governor and legislature. In 1978 the people of the districts of Truk, Yap, Ponape, and Kosrae, in the Carolines, voted in

a constitutional referendum to establish the Federated States of Micronesia, and in 1979 formed Federal and state governments. The Marshall Islands also voted to form a separate constitutional government in 1979. In 1981 the people of Palau, of the Caroline group, voted to establish the Republic of Palau, the fourth entity within the Trusteeship.

Since 1969 representatives of these island groups have been engaged in negotiations with the U.S. Government to determine their future political status upon termination of the Trusteeship. As mentioned above, in 1975 the people of the Northern Mariana Islands voted in favor of Commonwealth Status with the United States. In 1983 the people of the Federated States of Micronesia, Palau, and the Marshall Islands, voting in Trusteeship Council-observed plebiscites, approved a Compact of Free Association with the United States under which they will largely be responsible for their own domestic and foreign affairs, with the United States retaining responsibility only for their defense and security. The governments of the Federated States of Micronesia and the Marshall Islands subsequently approved the Compact in accordance with their constitutional processes. The Compact, as it applies to the Federated States of Micronesia and to the Marshall Islands, is now being considered by the U.S. Congress.

In Palau, the plebiscite on the Compact was accompanied by a referendum question which would have reconciled the provisions of a section of the Palau Constitution with certain defense and security provisions of the Compact. Under the terms of the Palau Constitution, the reconciliation required approval by not less than 75% of those voting. The 75% requirement for the defense question was not met, though the Compact did achieve a 62% margin of approval achieved during the February 1983 plebiscite. These results, and their interpretation by the Palau Supreme Court, prevented the Government of Palau from approving the Compact. Following further discussions between the U.S. and Palauan Governments, a revised Compact was submitted for approval in September 1984 in an internal referendum not observed by the United Nations. Again the Compact failed to obtain the constitutionally set 75% approval requirement. Therefore, the U.S. Government maintains that the Compact has not yet been approved by the Palauan people according to their own constitutional requirements.

## **Trusteeship Council Consideration**

The Trusteeship Council held its 51st regular session in New York from May 14 to June 8, 1984. J. Laurent Rapin of France and Ambassador John Margetson of the United Kingdom were elected Council President and Vice President, respectively. Ambassador

William C. Sherman of the U.S. Mission to the United Nations served as U.S. Representative to the Council. Special Representatives from the Trust Territory were: Janet J. McCoy, the High Commissioner; Oscar DeBrum, Chief Secretary for the Republic of the Marshall Islands; Alfonso R. Oiterong, Vice President and Minister of State for the Republic of the Marshall Islands; Andon Amaraich, Secretary of External Affairs for the Federated States of Micronesia; and Pedro A. Tenorio, Lieutenant Governor of the Commonwealth of the Northern Mariana Islands. Lazarus E. Salii, Ambassador for Status Negotiations and Trade Relations of the Republic of Palau, and Ambassador Fred M. Zeder, II, the President's Personal Representative for Micronesian Status Negotiations, were the Senior Advisers.

On May 14 Ambassador Sherman presented the U.S. Delegation's opening statement. He reported to the Council on the progress achieved toward the termination of the Trusteeship, noting that plebiscites on the Compact of Free Association held in the Federated States of Micronesia and the Marshall Islands under the observation of missions from the Council indicated overwhelming approval of the Compact. He described the high degree of organization in voter education prior to each election, indicating that the Micronesians handled all phases themselves. Passing to other developments in the Trust Territory, he outlined several significant activities in the economic and social spheres, noting that continued efforts to stimulate the growth of the Micronesian economies will be necessary. In conclusion, he reflected on the history of this last UN Trusteeship and the objectives for which it was established, reiterating that U.S. administration of the islands has contributed both to the maintenance of international peace and security and to the well-being and advancement of the peoples of the Trust Territory. He reaffirmed the U.S. intention to maintain that course as the people of Micronesia complete their move toward self-determination.

In her presentation to the Council, High Commissioner McCoy highlighted developments in 1983 in the Trust Territory, including effective efforts taken to control cholera in Truk (in the Federated States), and ongoing water projects and improved transportation linkages throughout the Territory. Each of the Micronesian delegates also reported on conditions in his/her respective state.

During several days of discussions on the Annual Report on the Trust Territory of the Pacific Islands, submitted by the United States as administering authority, the Council heard a number of petitioners from the TTPI, many of whom dealt with the status of claims for compensation for nuclear testing on Bikini in the 1950's. Responding to charges of U.S. militarization of TTPI made by the Soviets and various petitioners, Ambassador Sherman observed that uncon-



unconstructive criticism of an ideologically biased nature diverted time and attention from the real work of the Council. He briefly discussed the limited U.S. military facilities in the Trust Territory, pointed out the many misrepresentations that had been made, and recommended that the subject be closed. He reiterated the positive impact of the plebiscites as a step toward Micronesian self-determination.

On May 29 the Council adopted the reports of the Visiting Missions to Observe the Plebiscites in the Federated States of Micronesia and in the Marshall Islands, each by votes of 3 (U.S.) to 1 (U.S.S.R.). (Resolutions 2177 (LI) and 2178 (LI).) The Council had adopted the Visiting Mission's report on the Palau plebiscite at its 1983 meeting.

The Council adopted its report to the Security Council at its 1,580th meeting on July 18, 1984 by a vote of 3 (U.S.) to 1. Among its conclusions and recommendations were several relating to the administration of the Trust Territory. The Council welcomed improvements in conditions in the Territory, such as the establishment of satellite communications throughout the area and newly opened airports. It also expressed concern on a range of issues, including the quality of health care available to the people of Bikini and Enewetak Islands and plans for their resettlement and the settlement of war damage claims. On the political side, the Council welcomed the continuing devolution of administrative responsibility for the Trust Territory to the constituent governments, the encouragement by the United States of their participation in regional and international organizations, and their maintenance of links with other governments on matters of common interest. Concerning the progress toward termination of the Trusteeship, the Council reaffirmed the right of the people of the Trust Territory to self-determination and expressed satisfaction that the people of Micronesia will have the opportunity to choose their political status from a range of options, including independence. It reiterated that free association is an option not incompatible with the Trusteeship Agreement, provided that the people concerned have freely accepted it. The Council endorsed the views of the Visiting Missions to Observe the Plebiscites in the Federated States of Micronesia and the Marshall Islands that, despite some administrative shortcomings, both plebiscites held by the constituent governments ensured the free and fair expression of the wishes of the people.

## **General Assembly Consideration**

The General Assembly's Special Committee on Decolonization (Committee of 24) considered and approved on October 30, 1984 a

United States maintains that under the UN Charter the Committee of 24's mandate does not extend to the Trust Territory, and therefore the United States did not participate in the Committee's discussions on this question. The Committee subsequently reformulated its conclusions and recommendations in the form of a draft resolution to be submitted to the General Assembly's Fourth Committee for adoption as a General Assembly resolution. As in the previous year, however, after consultations with the Special Committee Chairman and other delegations, the Fourth Committee Chairman suggested on November 12, 1984, that the Committee postpone to a later (unspecified) date action on the draft resolution, effectively precluding any action on the text in 1984. His proposal drew no objection, with the result that Fourth Committee consideration of the resolution ended, and the General Assembly took no action on the Trust Territory.

## U.S. TERRITORIES

### American Samoa

American Samoa is an unincorporated<sup>1</sup> and unorganized<sup>2</sup> U.S. territory located 2,300 miles southwest of Hawaii. It comprises seven islands in the South Pacific, with a total area of 76 square miles and a population of about 30,000. The territory of American Samoa has been voluntarily associated with the United States since 1899. During the early 1900's, the United States acquired six of the islands through agreements with indigenous leaders. The seventh island became an integral part of the territory in 1925.

The UN Committee of 24's Subcommittee on Small Territories considered American Samoa in five meetings between May 29 and June 26, 1984. The full Committee of 24 adopted on August 7 the Subcommittee's report and decided without objection to submit a draft resolution to the General Assembly. The draft reaffirmed the inalienable rights of the the people of American Samoa to self-determination and independence and, *inter alia*, urged the United States to continue to facilitate close relations and cooperation between the territorial government and regional institutions in order to further enhance the economic welfare of the people of American Samoa.

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<sup>1</sup>An unincorporated territory is one in which the U.S. Constitution does not fully apply, except insofar as specified by the U.S. Congress.

<sup>2</sup>An unorganized territory is one without its own Organic Act, and therefore unable to amend its Constitution without the consent of the U.S. Government.

## Guam

Guam, the southernmost island in the volcanic Mariana Islands chain in the Western Pacific, is an organized, unincorporated U.S. territory. Located 6,000 miles west of San Francisco, Guam measures about 30 miles long and 4–8 miles wide. Its population numbers about 100,000; military personnel account for some 20%. Guam was ceded to the United States by Spain in 1898 at the conclusion of the Spanish-American War.

The Subcommittee on Small Territories considered Guam in five meetings between June 7 and August 22, 1984. The full Committee of 24 adopted on August 24 the Subcommittee's report and approved a draft consensus resolution to be submitted to the General Assembly. The draft, *inter alia*, called on the United States to take all necessary steps to strengthen and diversify the economy of Guam; to accelerate the transfer of land to the people of Guam; to remove the constraints which limit its economic development; to safeguard the rights of the people of Guam to their natural resources; and to strengthen and promote the language and culture of the Chamorro people. On the issue of military bases and installations, the Committee urged the United States to continue to ensure that the bases not hinder the people of Guam from exercising their rights to self-determination and independence, and to comply with relevant UN resolutions.

## U.S. Virgin Islands

The U.S. Virgin Islands, located 1,000 miles southeast of Miami, are part of the curving chain of the Greater and Lesser Antilles separating the Caribbean Sea and the Atlantic Ocean. Of the 50 islands that constitute this organized, unincorporated territory, the three most prominent are St. Thomas, St. Croix, and St. John. The population of the U.S. Virgin Islands is about 100,000, and total land area amounts to some 130 square miles. The U.S. Virgin Islands were purchased from Denmark in 1917.

The Subcommittee on Small Territories considered the Virgin Islands in four meetings between June 21 and August 22, 1984. The full Committee of 24 on August 24 approved the report of the Subcommittee and decided without objection to submit its recommendations and conclusions in the form of a draft resolution to the General Assembly. The draft urged the United States, in cooperation with the territorial government, to continue efforts to diversify the Territory's economy. It noted with satisfaction the recent admission of the U.S. Virgin Islands as an associate member of the Economic Commission for Latin America and called upon the United States to facilitate the participation of the Territory in other organizations in the UN system. It noted that further efforts are



necessary to revitalize health care programs, improve crime prevention, discourage juvenile delinquency, and expand and upgrade school facilities.

The U.S. Representative, Ambassador Harvey J. Feldman, spoke to the Committee after the reports on Guam and the U.S. Virgin Islands had been discussed. He said that his delegation did not agree with every word, every clause, of the reports. In fact, there are scattered through them statements and references which his delegation consider to be without foundation in any objective view of reality. For example, the warning against possible "offensive acts" against others launched from these territories is as unnecessary as it is gratuitous. There have been no offensive actions or military operations launched against neighboring states from any U.S. territory which could give rise to such a concern. While, indeed, there have been and there continue to be cases of military aggression against UN members, especially members in the southeast Asian region and the south Asian region, neither Guam nor the United States is involved in these military adventures.

He went on to say that the U.S. Delegation was well aware of the long hours that went into the final preparation of the reports. The Delegation also knew that some delegations urged insertion of some very harsh language that stemmed not from any examination of objective fact or reality but was motivated by a desire to enroll the Special Committee under a particular political banner for reasons quite unconnected to the United Nations and its tasks. The U.S. Delegation was pleased that these tendencies were firmly resisted and marked an end to the process in which texts are made year by year more extreme and less connected with objective reality. Therefore, despite reservations, the United States accepted the reports on Guam and the Virgin Islands in the same spirit of compromise and good will with which they were offered.

## **General Assembly Action**

American Samoa, Guam, and the U.S. Virgin Islands were considered, along with a number of other smaller territories, in seven meetings of the 39th General Assembly's Fourth Committee between October 30 and November 12 under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples."

On November 8, 1984 Ambassador Feldman addressed the Fourth Committee regarding these territories, pointing out that the people of American Samoa, Guam, and the U.S. Virgin Islands have full enjoyment of democratic freedoms. He further noted that all three territories continue to grow and prosper economically and take active roles in important regional organizations. He also pointed out that

political developments within the territories continue to be prime examples of self-determination at work, and reaffirmed the determination of the United States to respect and protect the rights of all people to self-determination.

On November 12, 1984, the Fourth Committee approved without a vote the proposed drafts of the Committee of 24. The General Assembly subsequently adopted in the same manner these draft resolutions on December 14. The resolutions were as follows: American Samoa, resolution 39/31; Guam, resolution 39/32; the U.S. Virgin Islands, resolution 39/38.

## NAMIBIA

The General Assembly considered Namibia at eight sessions from November 29 through December 12. A total of 112 national delegations took part in the debate, as did representatives of the South West Africa People's Organization (SWAPO)<sup>3</sup>, the Arab League, the UN Council for Namibia,<sup>4</sup> and the Committee of 24. All speakers agreed on the need to move Namibia promptly toward independence in accordance with the UN plan set out in Security Council resolution 435 (1978). That plan calls for a cease-fire in Namibia followed by free and fair elections supervised by a UN Transition Assistance Group (UNTAG), and for a Namibian constituent assembly that would draft an independence constitution.

In addition to support for resolution 435, major themes repeated throughout the debate included condemnation of South Africa's continuing illegal occupation of Namibia in contravention of the United Nations and rulings of the International Court of Justice, and in particular South Africa's enforcement of apartheid regulations in Namibia. The overwhelming majority of speakers offered words of support or praise for SWAPO, recalling in particular that SWAPO had been recognized by the General Assembly as the "sole and authentic representative of the Namibian people." Many speakers rejected attempts to link Namibian independence to "extraneous" factors such as the presence of Cuban troops in neighboring Angola. A number of countries criticized the United States and other Western countries by name for supposed support for South Africa. The debate was ad-

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<sup>3</sup>The national liberation movement of Namibia.

<sup>4</sup>The Council was established by General Assembly resolution 2248 (S-V) of 1967 to administer Namibia until it achieves independence. The 31 members of the UN Council for Namibia in 1984 were Algeria, Angola, Australia, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Cameroon, Chile, China, Colombia, Cyprus, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nigeria, Pakistan, Poland, Romania, Senegal, Turkey, U.S.S.R., Venezuela, Yugoslavia, and Zambia.

journed on December 4, with voting postponed to a subsequent meeting.

On the afternoon of December 12, the General Assembly met to consider and vote on five proposed resolutions on Namibia drafted by the Council for Namibia. After the introduction of the resolutions, Ambassador Kirkpatrick took the floor to introduce 11 amendments designed to delete specific references to the United States in three of the draft resolutions. Ambassador Kirkpatrick recalled that the United States, in cooperation with the Contact Group,<sup>5</sup> has been involved in intensified efforts to bring Namibia to independence in accordance with resolution 435. She noted that "because of the sensitive nature of our involvement in this effort, we have consistently held the view that it is inappropriate for the United States to take a position on the substance of the draft resolutions before us. We shall therefore abstain on these draft resolutions again this year." Nevertheless, she continued, the repeated citations by name of member states, and in particular the United States, are not only "hostile, unfair and inaccurate," but also contrary to the principles and long-established practices of the United Nations.

Of the 11 proposed amendments, 10 sought to delete mention of the United States in paragraphs of the draft resolutions critical of South Africa, without otherwise changing the sense of the resolutions. These amendments also sought to delete four references by name to Israel and one reference by name to France. Typically, the paragraphs in question condemned alleged "attempts by the United States of America and South Africa to establish a linkage or parallelism between the independence of Namibia and any extraneous and irrelevant issues" or condemned supposed "collusion of the United States of America, certain other Western countries, and Israel with the South African racists." In these 10 instances the amendments proposed only striking the words "United States of America" and "Israel." The only broader amendment sought to delete an entire paragraph that denounced "the establishment of the so-called Liaison Office of the United States Government at Windhoek" and called for its immediate closure and withdrawal. Ambassador Kirkpatrick explained in her statement that the Liaison Office was a direct result of the Lusaka agreement between Angola and South Africa of February 1984 and was neither diplomatically accredited to nor implied any recognition of the legitimacy of the South African presence in Namibia.

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<sup>5</sup>The Contact Group is made up of the five Western countries which served as members of the Security Council in 1977-78 (Canada, Federal Republic of Germany, France, United Kingdom, and United States) when the group was formed.



Prior to the actual voting on the proposed amendments, the representative of Guyana, speaking on a point of order, reminded the General Assembly of a special procedure adopted in 1954 under which Namibia was declared an important question. As a result, any resolution or amendment to a resolution on the question of Namibia must be adopted by a two-thirds majority of the UNGA members present and voting. The President of the General Assembly confirmed that this procedural approach was correct. The votes were then taken in quick succession. Each of the U.S. amendments failed to obtain the required two-thirds majority and so was defeated. The voting results on the 11 amendments ranged from 59 (U.S.) to 54, with 29 abstentions, to 45 (U.S.) to 65, with 32 abstentions.

With the voting on the amendments completed, the General Assembly turned to the resolutions as a whole. All five resolutions were adopted with no negative votes, although a number of countries joined the United States and the other members of the Contact Group in abstaining.

The first resolution, introduced by Zambia and entitled "The situation in Namibia resulting from the illegal occupation of the territory by South Africa," was adopted by a vote of 128 to 0, with 25 (U.S.) abstentions. The resolution, which ran to over 80 paragraphs, *inter alia*, recalled previous declarations, reiterated that the continuing "illegal and colonial occupation of Namibia by South Africa . . . constituted a threat to international peace and security," and strongly condemned South Africa for obstructing the implementation of Security Council resolutions including resolution 435 (1978). The resolution declared that all activities of foreign economic interests in Namibia are illegal and urged the Security Council to impose comprehensive sanctions on South Africa under Chapter VII of the UN Charter. In addition, the resolution included five critical references to the United States by name, as well as a number of critical references to other specific countries and "Western countries" in general. Among these was the paragraph cited above denouncing the establishment of the U.S. Liaison Office in Windhoek, and others condemning supposed collusion between the United States and South Africa. (Resolution 39/50A.)

Guyana introduced the second resolution, entitled "Implementation of Security Council resolution 435 (1978)." The resolution was adopted by a vote of 129 to 0, with 25 (U.S.) abstentions. It reiterated that resolution 435 (1978) "is the only basis for a peaceful settlement of the question of Namibia" and demanded that South Africa comply fully with this and other Security Council resolutions on Namibia. It further rejected and condemned what it called "persistent attempts by the United States of America and South Africa to establish a linkage or parallelism between the independence

of Namibia and any extraneous and irrelevant issues, in particular the presence of Cuban forces in Angola," and again urged the Security Council to adopt Chapter VII sanctions against South Africa. (Resolution 39/50B.)

A third resolution, introduced by Yugoslavia, was entitled "Program of Work of the United Nations Council for Namibia." The resolution was adopted by a vote of 148 to 0, with 7 (U.S.) abstentions. The resolution approved the report of the UN Council for Namibia, including the recommendations therein, and decided to make adequate financial provisions for their implementation; requested all states to cooperate with the Council for Namibia; and decided that Namibia, represented by the Council for Namibia, should participate as a full member in all conferences and meetings organized by the United Nations. The resolution also set out a variety of tasks and programs for the Council for Namibia to undertake, in particular organizing meetings and conferences. (Resolution 39/50 C.)

Another resolution was entitled "Dissemination of Information and Mobilization of International Public Opinion in Support of Namibia." Introduced by Bulgaria, this resolution was adopted by a vote of 130 to 0, with 24 (U.S.) abstentions. It outlined a program to publicize and gain international support for the cause of Namibia, the program to include production and dissemination of various types of information and calling of conferences. The resolution also decided to expose "the collusion of the United States of America, certain other Western countries, and Israel with the South African racists." (Resolution 39/50 D.)

A final resolution was introduced by Venezuela. Entitled "United Nations Fund for Namibia," it was adopted by a vote of 149 to 0, with 5 (U.S.) abstentions. The resolution stated that the UN Fund for Namibia, including the Trust Funds for the Nationhood Program for Namibia and the UN Institute for Namibia, should be the primary source of assistance to Namibians and decided once again to allocate as a temporary measure \$1 million to the Fund from the UN regular budget for 1985. It also contained a number of other clauses pertaining to assistance to Namibia through the United Nations and its specialized agencies. (Resolution 39/50 E.)

On December 18 the General Assembly, at the proposal of the Secretary General, decided to extend the appointment of Bradesh Chandra Mishra as UN Commissioner for Namibia for a 1-year term beginning on January 1, 1985.

The Security Council did not meet formally to consider the question of Namibia in 1984.

## OTHER QUESTIONS

### Western Sahara

The conflict in Western Sahara dates to 1976, when Spain transferred administrative control of the territory to Morocco and Mauritania. The POLISARIO<sup>6</sup> launched a guerrilla war against those nations to obtain independence for the entire territory, resulting in Mauritania's withdrawal in 1979. Morocco then extended its claims to include the one-third of the territory formerly claimed by Mauritania, and the war with the POLISARIO continued. The U.S. position is to support a peaceful political settlement acceptable to all parties, which takes into account the desire of the Saharan people for self-determination.

The Fourth Committee considered the question of the Western Sahara at five meetings between November 23 and 28. An Algerian-sponsored draft resolution was voted on in the closing meeting. Shortly before the vote, Morocco withdrew its competing draft in anticipation of the passage of Algerian amendments, which would have completely altered its meaning. In doing so, the Moroccan Representative re-iterated Morocco's rejection of direct negotiations with the POLISARIO—as called for in the Algerian draft—and restated his country's willingness to abide by the results of a direct referendum of self-determination under UN supervision. He also stated that the OAU, by prematurely recognizing a republic in the Western Sahara, could no longer act as an arbiter in the dispute. The Committee adopted the Algerian draft by a vote of 90 to 1 (Equatorial Guinea), with 45 (U.S.) abstentions.

In explaining the U.S. vote, Ambassador Feldman regretted that more effort had not been put into reaching a consensus, especially since the two drafts were not far apart. One called for a referendum under joint UN and OAU auspices, while the other called for only UN supervision.

The resolution was adopted by the plenary Assembly on December 5 by a vote of 90 to 0, with 42 (U.S.) abstentions. (Resolution 39/40.)

### Other Territories

Under the agenda item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," the Fourth Committee held seven meetings between October 30 and November 12 to consider the chapters of the report of

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<sup>6</sup>Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro.



the Special Committee on Decolonization relating to territories not covered by other agenda items. In addition to the resolutions on U.S. territories (discussed earlier), the Committee approved several chapters of that report, dealing with St. Helena, the Cocos (Keeling) Islands, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, the Turks and Caicos Islands, Anguilla, Tokelau, Pitcairn, and Gibraltar. The items, with the exception of St. Helena, were approved in committee without a vote and subsequently adopted without a vote in the plenary on December 5.

On St. Helena, the Assembly adopted on December 5 by a vote of 119 to 2 (U.S. and U.K.), with 24 abstentions, a decision which expressed the hope that the administering power will continue to implement infrastructure and community development projects and to encourage local initiative and enterprise. The decision also referred to the presence of a military base on the dependency of Ascension, and in that regard recalled all relevant UN resolutions on the subject of military installations in colonial and non-self-governing territories. (Decision 39/411.)

The British position on this question was that the reference to Ascension Island was out of place, inasmuch as St. Helena and Ascension were legally and historically distinct; 1,000 miles apart, they were linked only for administrative reasons. Moreover, Ascension did not fall under either Article 73 or resolution 1514 (XV), as there was not, and never had been, an indigenous population. The military facilities there could hardly, therefore, be considered an obstacle to the self-determination of a people, since the only local population was a few migratory birds and some turtles. The United States joined the United Kingdom in voting against this decision for the same reason.

On the Cocos (Keeling) Islands, the Assembly noted that the people of the Territory voted by a substantial majority for integration with Australia; endorsed the view of the Visiting Mission that, in doing so, the people have exercised their right to self-determination; and considered it appropriate that the transmission of information in respect to the territory under Article 73(e) of the Charter should cease. (Resolution 39/30.)

On Bermuda, the Assembly urged the British Government to expedite the process of "Bermudianization," in particular with regard to greater localization of the public service. (Resolution 39/33.)

On the British Virgin Islands, the Assembly noted with satisfaction the admission of the territory as an associate member in UNESCO and the Economic Commission for Latin America and requested the United Kingdom to further facilitate British Virgin Islands participation in those organizations. (Resolution 39/34.)

On the Cayman Islands, the Assembly reiterated that it was the responsibility of the administering power (the United Kingdom) to create conditions enabling the people to exercise freely and without interference their right to self-determination and independence. (Resolution 39/35.)

On Montserrat, the Assembly urged the administering power (the United Kingdom) to intensify the development of diversified sectors of the economy and called on the organizations of the UN system, as well as donor governments and regional governments, to intensify their efforts to accelerate progress in the economic and social life of the territory. (Resolution 39/36.)

On the Turks and Caicos Islands, the Assembly noted that the military facility had been closed by the administering power (the United Kingdom) and that the territorial government now had complete control over the vacated land. (Resolution 39/37.)

On Anguilla, the Assembly urged the administering power (the United Kingdom) to expand programs of political education so as to improve the awareness of the people of the territory of the options available to them in the exercise of their right to self-determination and independence. (Resolution 39/39.)

On Tokelau, the Assembly expressed its view that the administering power (New Zealand) should continue to expand its program of budgetary support and development aid to the territory, as well as its program of political education to ensure the preservation of the identity and cultural heritage of the people of Tokelau. (Decision 39/408.)

On Pitcairn, the Assembly noted the British Representative's statement that his government's policy was to respect the wishes of the people of Pitcairn when considering the future constitutional arrangements for the territory and to give further encouragement to the people of Pitcairn to pursue the way of life that they themselves have chosen and best suits their own particular circumstances. (Decision 39/409.)

On Gibraltar, the Assembly urged the Governments of Spain and the United Kingdom to make possible the start of negotiations to reach a lasting solution to the problem of Gibraltar. (Decision 39/410.)

## **General Resolutions on Colonialism**

As in previous years, the General Assembly adopted a number of resolutions dealing with various aspects of colonialism and racial discrimination. These resolutions were adopted under several different agenda items.

#### FOURTH COMMITTEE RESOLUTIONS

The Fourth Committee considered at 10 meetings, September 24 to October 26, the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other territories under colonial domination and efforts to eliminate colonialism, apartheid, and racial discrimination in southern Africa." The Committee approved a resolution on "foreign economic activities" on October 26 by a vote of 112 to 4 (U.S.), with 23 abstentions. The General Assembly adopted the resolution in plenary session on December 5 by a recorded vote of 121 to 2 (U.S.), with 22 abstentions. (Resolution 39/42.)

The Fourth Committee discussed the agenda item "Military activities and arrangements by colonial powers in territories . . ." concurrently with the item on foreign economic activities. During the discussion, the United States introduced two amendments to delete hostile references to the United States and Israel from the Committee's draft decision on military activities. These amendments were adopted by large margins on October 26 (62 (U.S.) to 47, with 24 abstentions, and 62 (U.S.) to 47, with 25 abstentions). Adoption of the U.S. amendments marked the first time such anti-U.S. name-calling had been successfully deleted from a UN decision or resolution in recent years. Following adoption of the U.S. amendments, the Committee approved the decision on "military activities" by a vote of 115 to 11 (U.S.), with 15 abstentions. The General Assembly, in plenary session, on December 5 adopted the draft decision by a vote of 118 to 10 (U.S.), with 15 abstentions. (Decision 39/412.)

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations," the Fourth Committee considered a draft resolution contained in the report of the Committee of 24 which included two hostile references to the United States by name. On November 18, Ambassador Feldman introduced an amendment to delete a specific reference to the United States and Israel in a paragraph of the draft resolution that alleged that Pretoria's "stepped up aggression" had been "intensified" because of increased support by "certain Western countries." The U.S. Representative also introduced an amendment to delete a reference to the need to mobilize public opinion in the United States against IMF assistance to South Africa. On November 13 the Fourth Committee adopted the amendments by votes of 62 (U.S.) to 50, with 20 abstentions, and 65 (U.S.) to 39, with 28 abstentions, respectively. The Committee then approved the same day, by a vote of 90 to 28 (U.S.), with 20 abstentions, an African group amendment expressing concern over the policy of "constructive



engagement . . . linked with the economic and military collaboration maintained by some Western states and Israel with Pretoria." The final resolution contained no direct reference to the United States. On balance, the outcome in the Fourth Committee on the U.S. amendments represented an important step in the U.S. campaign to curtail the past UN practice of selective name-calling aimed at the United States.

The Fourth Committee approved November 13 by a vote of 116 to 3 (U.S.), with 20 abstentions, the amended resolution contained in the report of the Committee of 24. The resolution was adopted by the plenary Assembly on December 5 by a recorded vote of 119 to 3 (U.S.), with 22 abstentions. (Resolution 39/43.)

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-self-governing territories. The first resolution, introduced by Norway on November 8 and sponsored by 33 states, addressed the "UN Educational and Training Program for Southern Africa" (UNETPSA). The draft resolution was approved in the Fourth Committee on November 12 and in the General Assembly on December 5, in each instance without a vote. (Resolution 39/44.)

The second resolution, entitled "Offers by member states of study and training facilities for inhabitants of non-self-governing territories," expressed appreciation to those member states which had made scholarships available to the inhabitants of non-self-governing territories and invited them to continue to do so. The resolution was approved in the Fourth Committee on November 12 and in the plenary on December 5, in both instances without a vote. (Resolution 39/45.)

## PLENARY RESOLUTIONS

The General Assembly adopted several resolutions that were submitted directly to the plenary. Two of the resolutions were submitted under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and People" and were adopted December 14.

The first resolution, sponsored by 23 countries, *inter alia*: (1) reaffirmed that the continuation of colonialism in all its forms is incompatible with the UN Charter, the Universal Declaration of Human Rights, and poses a serious threat to international peace and security; (2) reaffirmed the recognition of the legitimacy of the struggle of peoples under colonial and alien domination to exercise their right to self-determination by all the necessary means at their disposal; (3) condemned all nuclear and other collaboration with South Africa; (4) called upon the colonial powers to withdraw immediately and unconditionally their military bases and

installations from colonial territories and to refrain from establishing new ones; and (5) requested all states to withhold assistance "of any kind" from South Africa, until its people achieved self-determination and independence. The resolution was adopted by a recorded vote of 138 to 2 (U.S.), with 6 abstentions. (Resolution 39/91.)

The second resolution, entitled "Dissemination of information on decolonization," was sponsored by 21 countries and was similar to previously adopted resolutions on the same subject. It approved, among other things, the report of the Committee of 24 relating to the dissemination of information on colonialism; requested the Secretary General to continue to take concrete measures, through all media at his disposal, to give widespread publicity to UN work on decolonization; and invited all states to cooperate with the Secretary General in the dissemination of decolonization information. The resolution was adopted by a recorded vote of 139 to 2 (U.S.), with 6 abstentions. (Resolution 39/92.)

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## Part 4

# Legal Developments

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Significant legal issues on both substantive and procedural matters frequently arise in connection with U.S. participation in a wide variety of UN activities and in nearly all international organizations. Many of these legal matters are discussed in other parts of this report in the context of the underlying issues or particular international organizations to which they relate, including review of the UN Charter; uses of outer space; international human rights; International Labor Organization, International Civil Aviation Organization, and UNESCO matters; UN administration and budget; and UN trusteeship issues. Part 4, therefore, deals separately with 1984 activities of an exclusively legal character, such as those of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the Sixth (Legal) Committee of the General Assembly, and special international conferences or committees that consider legal questions involving the drafting of certain treaties or the relations between the United States as the host country on the one hand and the United Nations and missions to the United Nations on the other. As indicated above, drafting exercises concerning international human rights instructions are discussed in Part 2 of this report.

## INTERNATIONAL COURT OF JUSTICE

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. The Court's main functions are to decide cases submitted to it by states and to give advisory opinions on legal questions at the request of intergovernmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no 2 of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently, from a list of persons nominated by national groups on the Permanent Court of Arbitration. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to



represent the main forms of civilization and the principal legal systems of the world. Court members are elected for 9-year terms, with one-third of the total number of judges elected every 3 years.<sup>1</sup>

The Court submitted to the 35th General Assembly a brief report on its activities from August 1, 1983 to July 31, 1984. The report contained information on the Court's composition, jurisdiction, judicial work, administration, and publications. The General Assembly took note of the report at its 94th plenary meeting on December 11. (Decision 39/413.)

### **Continental Shelf (Libyan Arab Jamahiriya/Malta)**

On July 26, 1982, Libya and Malta notified to the Registrar a Special Agreement in force since March 20, 1982, which requested the Court to determine the principles and rules of international law applicable to the delimitation of the Continental Shelf area appertaining to the two parties and a practical method of applying such principles in the instant case.

Memorials were filed by the parties April 23, 1983, and Counter-Memorials submitted by the October 26 deadline. By application dated October 23, 1983, the Government of Italy, invoking Article 62 of the Statute, asked to be permitted to intervene in the case. Written observations on Italy's request were submitted by Libya and Malta on December 5. Neither government supported the application for intervention.

Oral arguments on Italy's request to intervene were held January 25-30, 1984. The Court rendered its decision on Italy's request on March 21, 1984, rejecting it by a vote of 11 to 5. (The two judges *ad hoc* appointed by Libya and Malta voted against the request. Judge Mosler did not participate in the decision.) Replies were filed by Libya and Malta on July 12, 1984.

### **Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America)**

On November 25, 1981, Canada and the United States notified the Court of a Special Agreement by which they submitted to a Chamber of the Court a question concerning the delimitation of the maritime boundary dividing the Continental Shelf and fisheries zones of the two parties in the Gulf of Maine area. This was the first case in which parties have invoked the provisions of the Statute of the Court that allow for the formation of a Chamber to hear a specific case. After the parties had supplied answers to particular questions concerning the

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<sup>1</sup>See Appendix for membership.

interpretation of the Statute of Rules of the Court, the Court, on January 20, 1982, by 11 votes to 2, adopted an Order duly constituting a special chamber for the purpose requested. The Chamber was composed of Judges Gros, Ruda, Mosler, Ago, and Schwebel; as agreed, Judge Ruda was replaced in due course by Judge *ad hoc* Cohen, chosen by Canada in accordance with Article 31 of the Court's Statute. Canada and the United States filed their Memorials by September 27, 1982, in accordance with the Chamber's decision. Their Counter-Memorials were filed on June 28, 1983, and Replies were filed on December 12, 1983, thereby closing the written stage of the proceedings.

Oral arguments were heard in the case from April 2 through May 11, 1984. The Chamber's decision was rendered on October 12, 1984. By agreement between the United States and Canada, enforcement of the boundary delimited by the Chamber began October 27, 1984.

### **Nicaragua v. United States of America**

On April 6, 1984 the United States filed a notice with the Secretary General of the United Nations modifying the United States' 1946 acceptance of the compulsory jurisdiction of the International Court of Justice to exclude from that acceptance, for a period of 2 years, "disputes with any Central American State or arising out of or related to events in Central America." On April 9, 1984 Nicaragua filed with the Court an Application alleging that the United States was engaged in military and paramilitary activities directed against Nicaragua in violation of international law; Nicaragua simultaneously filed a request that the Court indicate interim measures directing the United States to cease the alleged activities pending adjudication of the case.

Carlos Arguello Gomez, Nicaraguan Ambassador at The Hague, was named as Nicaragua's Agent; Department of State Legal Adviser Davis R. Robinson was appointed Agent for the United States. The United States and Nicaragua presented oral argument to the Court with respect to Nicaragua's request for the indication of interim measures on April 25 and 27, 1984. The United States argued that the Court should not indicate provisional measures because it lacks jurisdiction in this case; the other Central American States have said that Nicaragua's request directly implicates their rights and interests and they are indispensable parties in whose absence the ICJ may not proceed, that an indication of such measures would interfere in the Contadora negotiations, which were the appropriate regional arrangement for resolving disputes in the region, and that questions relating to ongoing hostilities are within the exclusive competence of the political organs of the UN, not the ICJ. On May 10, 1984 the Court

issued an Order indicating interim measures that differed considerably from those requested by Nicaragua. Whereas Nicaragua asked for an order that the United States should cease and desist from engaging in a wide variety of alleged activities directly or indirectly against Nicaragua, the Court indicated that the United States should cease and refrain from actions restricting and endangering access to and from Nicaraguan ports, that like all other states, Nicaragua's sovereignty should not be jeopardized by activities prohibited by international law, and that neither Nicaragua nor the United States should exacerbate the situation.

On May 14, 1984 the Court issued an Order scheduling proceedings on the questions of the Court's jurisdiction and the admissibility of Nicaragua's claims, pursuant to which Nicaragua filed its Memorial with respect to these questions on June 30, 1984, and the United States filed its Counter-Memorial on the same questions on August 17, 1984. In the interim, Nicaragua availed itself of Article 31(2) of the Court's Statute to name Pierre Colliard of France as a judge *ad hoc*.

On August 14, 1984 El Salvador filed a Declaration seeking to intervene as of right on the questions of jurisdiction and admissibility. The Court issued an Order on October 4, 1984 denying El Salvador's intervention as of right and refusing to grant El Salvador a hearing on the issue. The United States and Nicaragua presented oral argument on the questions of jurisdiction and admissibility of Nicaragua's claims during the periods October 8-10 and 15-18, 1984. The United States in its written and oral pleadings argued that:

(1) Nicaragua had never validly accepted the compulsory jurisdiction of the ICJ and therefore did not have the legal right to invoke that jurisdiction against the U.S.

(2) The U.S. had not accepted the Court's jurisdiction in this case because Nicaragua's claims fall within the scope of both the multilateral treaty reservation to the U.S. declaration of 1946 accepting the Court's jurisdiction and the April 6, 1984 modification of the 1946 declaration, temporarily excluding disputes with Central American nations or arising out of or related to events in Central America.

(3) Nicaragua's application requested, in effect, that the ICJ perform functions that the UN Charter gives to the political organs, in particular the Security Council, with respect to situations of ongoing armed conflict.

(4) The Court should not act in this case because other Central American States that are indispensable parties are not before the Court; because acting on the application would interfere with broadly endorsed regional negotiations aimed at establishing peace in the area; because acting on the application would interfere with the political mechanism to which the UN Charter has entrusted the resolution of situations of ongoing armed conflict; and because adjudication of claims during ongoing armed hostilities would encounter severe obstacles to the discovery of the truth and the fashioning of effective remedies.

In a decision rendered on November 26, 1984, the International Court of Justice: (1) by a vote of 11 to 5 (U.S., U.K., F.R.G., Italian,



and Japanese judges dissenting), found that Nicaragua and the United States had each validly accepted the Court's "compulsory jurisdiction" over Nicaragua's claims; (2) by a vote of 14 to 2 (U.S. and Argentine judges dissenting), found that a 1956 Treaty of Friendship, Commerce, and Navigation (the "FCN Treaty") between Nicaragua and the United States also vested the Court with jurisdiction insofar as Nicaragua's claims arose under the FCN Treaty; (3) by integrating the 11 to 5 and 14 to 2 votes, held 15 to 1 that it had jurisdiction "to entertain the case"; and (4) by a vote of 16 to 0 (U.S. and U.K. judges expressing reservations), held that Nicaragua's claims were "admissible" (i.e., justiciable) because they were "not about an ongoing armed conflict" and thus did not present a dispute that, under the United Nations Charter, may be addressed only to the political organs of the United Nations.

## **INTERNATIONAL LAW COMMISSION**

Pursuant to General Assembly Resolution 174(II) of November 21, 1947, the International Law Commission (ILC) was established in 1948 to promote the codification and progressive development of international law. The membership, which was increased from 25 to 34 during the 36th General Assembly, consists of legal experts serving in their individual capacities and elected by the General Assembly for 5-year terms. Stephen C. McCaffrey of the United States was elected on November 23, 1981, for a term which began on January 1, 1982.

The Commission studies topics it has determined are suitable for codification or that other UN bodies, usually the General Assembly, refer to it. Its normal procedure is to select one of its members (designated a "special rapporteur") to prepare reports on each of the topics and, after discussion, to draft articles which are acted on by the full Commission. Each year, the Commission reports to the General Assembly on the articles it has adopted during that year's session. It reconsiders the articles in light of government comments, and then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

### **Work of the Commission's 36th Session**

The 36th session of the Commission was held in Geneva from May 7 to July 27, 1984 under the Chairmanship of Alexander Yankov (Bulgaria). The Commission considered the following six substantive

topics: Draft code of offenses against the peace and security of mankind; status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier; jurisdictional immunities of states and their property; international liability for injurious consequences arising out of acts not prohibited by international law; the law of the nonnavigational uses of international watercourses; and state responsibility. The Commission provisionally adopted 11 draft articles on the diplomatic courier topic and 5 on the jurisdictional immunities topic. It discussed sets of draft articles submitted by the respective special rapporteurs on the international liability, state responsibility, and international watercourses topics and discussed a report on the topic of the draft code of offenses. In addition to its consideration of these substantive topics, the Commission also dealt with questions relating to its program and methods of work, its cooperation with other bodies (the Inter-American Juridical Committee, the Asian-African Consultative Committee, the Arab Commission for International Law, and the European Committee on Legal Cooperation), as well as other administrative matters.

## General Assembly Action

The Sixth Committee of the 39th General Assembly considered the Commission's report at 16 meetings from November 1 to December 7. On November 9 the U.S. Representative in the Sixth Committee, Robert Rosenstock, speaking on the subject of jurisdictional immunity, said:

As the Special Rapporteur's study has so clearly shown, and as other speakers have noted, an examination of State practice reveals *inter alia* that although many bilateral treaties may appear on superficial study to suggest a fairly absolute view of the immunity, the actual practice of States clearly evidences their recognition in practice that the immunity is far from absolute in today's world. The operation of reciprocity in relation to important contemporary legislation, including but not limited to that of my own country, is bound to lead to an ever clearer and more overwhelming record of State practice in support of the restrictive approach. For the Commission to take any approach but the functional one in this context would be both unrealistic and retrogressive.

On December 7, Iraq introduced a draft resolution on behalf of 76 cosponsors, including the United States. The draft concerned the Commission's report and, *inter alia*, recommended that the Commission continue its work on all the topics in its current program; reaffirmed its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat; and reaffirmed its wish that the Commission would continue to enhance its cooperation with intergovernmental legal bodies whose work is of interest for the progressive development of international

law and its codification. The draft was approved by the Committee on the same day and by the plenary Assembly on December 13, in both instances without a vote. (Resolution 39/85.)

## INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL), established by the General Assembly in 1966, continued to be a productive, professional body contributing to the harmonization and unification of the law of international trade. The Commission is composed of 36 member states elected by the Assembly for a term of 6 years.<sup>2</sup>

### Work of the Commission's 17th Session

UNCITRAL's 1984 session took place in New York from June 25 to July 10, 1984. The U.S. Representatives were Peter H. Pfund, Assistant Legal Adviser for Private International Law, Department of State; Professors John A. Spanogle, State University of New York at Buffalo Law School; E. Allen Farnsworth, Columbia Law School; John O. Honnold, University of Pennsylvania Law School; Joseph C. Sweeney, Fordham University School of Law; and Robert Rosenstock, U.S. Mission to the United Nations. The session devoted most of its time to the discussion of issues raised by comments submitted by governments and international organizations to the UNCITRAL Secretariat on the draft convention on international bills of exchange and international promissory notes. That draft convention had been prepared during 11 sessions by a working group of the Commission that had also prepared a parallel draft convention on international checks. The discussion of rather complex and highly technical issues was much facilitated by an UNCITRAL Secretariat report that identified the major controversial and other issues extracted from comments submitted by governments and international organizations.

There are countries that favor further work on the draft bills and notes convention (including the United States), and other countries that harbor doubts that a convention in this field would command

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<sup>2</sup>Members in 1984 were Algeria, Australia, Austria, Brazil, Central African Republic, China, Cuba, Cyprus, Czechoslovakia, Egypt, France, German Democratic Republic, Federal Republic of Germany, Guatemala, Hungary, India, Iraq, Italy, Japan, Kenya, Mexico, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Sweden, Tanzania, Trinidad and Tobago, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.



wide support either in the form of ratifications or through the use by issuers of instruments to which the optional provisions of the convention would apply.

It was agreed that further work of the UNCITRAL working group, expanded to include 6 additional states for a total of 14, should concentrate on the draft bills and notes convention and that work on the draft convention on international checks should be postponed and considered only after work on the former had been concluded.

The Commission had before it the completed draft model law on international commercial arbitration prepared by one of its working groups with active U.S. participation during five sessions. It agreed with the Secretariat proposal that the draft model law be transmitted to governments for the submission of written comments and proposals to the Secretariat for compilation and dissemination to governments in advance of the 18th plenary session of UNCITRAL in 1984 at which the model law would be reviewed by the full Commission. That review will include full consideration of certain substantive proposals made at the 17th session, including criteria for the applicability of the model law.

Following up on its decision at its 16th session to include the topic of liability of operators of transport terminals on its work program, the Commission decided to request the International Institute for the Unification of Private Law (UNIDROIT) to transmit its preliminary draft convention on this subject to UNCITRAL for consideration. It assigned work on the preparation of uniform rules on this subject to one of its working groups. Views were expressed about the desirable scope of such rules and on certain detailed aspects of the responsibilities and liabilities of the operators of transport terminals. The working group is to base its work on, but not necessarily limit it to, the work already done by UNIDROIT.

The Commission expressed general satisfaction with the progress of work by its working group preparing a legal guide on the drawing up of international contracts for the construction of industrial works. It approved a proposal that there be two meetings annually of this working group in order to expedite completion of the legal guide.

As had been done by the Commission in regard to the 1962 and 1974 versions of the Uniform Customs and Practice for Documentary Credits (UCP), prepared by the International Chamber of Commerce (ICC), the Commission, consistent with the request of the ICC, decided to recommend use of the 1983 revision of the UCP in international trade.

There was general agreement in the Commission that the draft chapters of a legal guide on problems arising out of electronic funds transfers submitted to the Commission for general observations constituted an excellent beginning for work in this field. The guide

would promote international common understanding on the subject which, it was generally believed, would lay the necessary basis for the eventual formulation of uniform legal rules to govern electronic funds transfers.

### **GENERAL ASSEMBLY ACTION**

The Sixth Committee of the 39th General Assembly considered the report of UNCITRAL at six meetings from September 25 to October 1 and on November 14, 1984. As in previous years, the U.S. Representative, Mr. Rosenstock, expressed support for the proposed future work program of the Commission summarized in its report and expressed the continued satisfaction of the United States concerning the important role played by the UNCITRAL Secretariat and the excellence of its work.

On November 14 Austria introduced in the Sixth Committee a resolution sponsored by 30 other countries commending the Commission for progress made in its work and in particular towards the preparation of a draft convention on international bills of exchange and international promissory notes, a model law on international commercial arbitration, a legal guide on the drawing up of international contracts for the construction of industrial works, and a legal guide on electronic funds transfers. The resolution also has the General Assembly noting that the Commission had assigned to a working group the task of preparing uniform legal rules on the liability of operators of transport terminals and that it had placed on its priority work program the topic of the legal implications of automatic data processing to the flow of international trade. The resolution continued with the usual reaffirmation of the Commission's mandate and the importance of its work concerned with training and assistance in the field of international trade law and various aspects of that activity.

The draft resolution was approved in Committee by consensus and the General Assembly on December 13 adopted the resolution without a vote. (Resolution 39/82.)

### **DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND**

The General Assembly has been considering this item on and off since 1947 without definitive result. The original impetus for the exercise was an inclination, building on the Nuremberg and Tokyo trials, to draft highly detailed rules, violation of which would constitute criminal behavior. Initial efforts resulted in a draft by the International Law Commission which did not command sufficient

support for final action to be taken. After a hiatus of 20 years, during which the Assembly dealt in other forms with much of the conduct in question, resulting in such instruments as the Genocide Convention and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance With the Charter of the United Nations, the Assembly resumed consideration of the item at its 33rd session in 1978.

In the course of the Assembly's consideration of the item in 1978, as well as 1980 through 1984, and in written comments, the United States, along with most of the Western European countries, welcomed the decision of the International Law Commission to limit its consideration at this stage to the responsibility of individuals rather than of States but expressed great doubt that any useful progress could be made, since, *inter alia*, the project exceeded the clear basis of universal agreement and the issues involved are inextricably linked to the mechanism of international criminal jurisdiction on which progress is most unlikely. Western countries also noted the extent to which much of the original material had in fact been dealt with elsewhere in the interim. Support for the item from some non-aligned countries and the Soviet Union has, however, been sufficient to keep it before the United Nations.

The Sixth Committee considered the item at four meetings between November 15 and December 5. On December 5, a draft resolution was introduced by Egypt, cosponsored by 30 other countries, which, *inter alia*, invited the International Law Commission to continue its work with a view to elaborating the Draft Code and decided to include an item in the 40th provisional agenda entitled "Draft Code of Offenses Against the Peace and Security of Mankind."

Mr. Rosenstock said that the United States was not prepared to break the consensus on the resolution on the International Law Commission in order to record its view that it would not be prudent to continue its work on the Draft Code of Offenses. There was no consensus on that topic, and the action to push the draft resolution to a vote was an irresponsible one. There was a long-standing tradition of adopting the resolution on the International Law Commission by consensus, since that resolution provided the mandate for the delicate work of the Commission. A separate resolution would therefore be redundant or have a subversive effect on the Commission, its relationship with the Committee and, in the long term, the prospects for the codification and progressive development of international law. The United States would abstain in the vote out of deference to the good intentions of the sponsors of the draft resolution.

The resolution was approved in Committee on December 5 by a vote of 96 to 0, with 16 (U.S.) abstentions, and adopted by the General



Assembly on December 19 by a vote of 122 to 0, with 15 (U.S.) abstentions. (Resolution 39/80.)

## CONVENTION ON THE LAW OF TREATIES BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS OR BETWEEN INTERNATIONAL ORGANIZATIONS

At its 34th session in 1982 the International Law Commission completed its second and final reading of the entire 80 draft articles and annex thereto. Over 15 years ago the Commission had decided to consider this topic as a subject separate from that of treaties between states. The Commission had taken into account the written comments and observations received from governments and international organizations, as well as views expressed in the debates in the General Assembly. The Commission also took particular note of the draft articles' intimate relationship with the Vienna Convention on the Law of Treaties. In recommending that the General Assembly convene a conference to conclude a convention from these articles, the Commission recognized the exclusive competence of the Assembly to decide the matter.

The general framework for these draft articles is the Vienna Convention on the Law of Treaties (VCLOT). The draft articles deal with the same questions as the VCLOT and consequently parallel, with appropriate adjustments, its provisions, while remaining totally independent of and without referring back to those provisions. These draft articles cover, *inter alia*, the capacity of international organizations to conclude treaties, including means of expressing consent, and the questions of reservations to and observance of such treaties. Finally, the Commission made observations related to principles concerning the extent to which it was possible to equate international organizations with states for the purposes of treaty law.

This subject was included on the agenda of the 39th General Assembly under a Sixth Committee item entitled "Convention on the Law of Treaties between States and International Organizations or between International Organizations" and was considered at four meetings between October 31 and November 1.

During debate the U.S. Representative, Robert Rosenstock, noted that a number of complex questions, for example, participation of international organizations in the elaboration of the convention and in the convention itself, as well as the relationship between draft articles and the Vienna Convention on the Law of Treaties, needed to be resolved before finalization of a convention. He noted that a succinct protocol to the Vienna Convention was preferable to a long text and said the International Law Commission should be asked to

examine this aspect and report to the General Assembly at its 40th session. He also recalled that the United States has expressed its preference to have future work conducted in the General Assembly rather than at a Plenipotentiary Conference for fiscal reasons as well as other reasons directly related to the project for successful codification.

Iraq, subsequently joined by 40 other countries, introduced a draft resolution in the Sixth Committee on December 7. The draft, *inter alia*, decided that a UN conference on the subject should be held at Vienna from February 18 to March 21, 1986; listed those organizations the Secretary General was requested to invite; and asked participants to consult prior to the conference on issues of organization and method of work of the conference and on major issues of substance.

Mr. Rosenstock thanked those who had initiated consultations prior to the General Assembly, as well as those which had been held more recently. Without them, the consensus would have been impossible. His only concern was with regard to the budget implications of the draft, and that adequate time be devoted to preconference preparation in order to maximize the likelihood that the codification exercise would result in a broadly acceptable and thus useful result. He endorsed remarks made by the representatives of the United Kingdom and the Soviet Union which, in effect, requested that the budget implications should be carefully considered by the Fifth Committee, which should try to utilize the most rational possible utilization of appropriations under the regular budget.

The draft was approved by consensus in Committee on December 7, and adopted without a vote in the plenary Assembly on December 13. (Resolution 39/86.)

## NON-USE OF FORCE IN INTERNATIONAL RELATIONS

In 1977, on the basis of a Soviet proposal, the 32nd General Assembly established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, giving it the mandate "to consider proposals and suggestions submitted by any state . . . with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate."

In December 1979 the Soviet Union invaded Afghanistan. On March 27, 1980 the United States sent a letter to the Secretary General informing him that it would not participate in the 1980 session of the Special Committee, *inter alia*, because the Soviet Union

had insisted at the 34th General Assembly on the addition of language which we believed laid too much emphasis on the early completion of a world treaty on the non-use of force, thereby prejudicing the Special Committee's mandate. In March 1981 the United States renewed its participation in the Special Committee, because the 35th General Assembly had modified the language governing the mandate of the Committee in such a way as to meet some of the U.S. concerns.

## Special Committee

The Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations<sup>3</sup> held its seventh session in New York from February 21 to March 16, 1984. The Committee, which operates by consensus, devoted five meetings to a general debate in which 16 members and 3 observers participated. General debate statements, including that of the United States, reflected the three distinct views that have long characterized the Committee's work. One view supported the Soviet proposal to draft a world treaty on the non-use of force. The second, espoused by non-aligned countries, supported a declaration of principles on the non-use of force. The third, backed by the Western group, opposed a treaty, suggested that the Committee study why states resort to force and proposed that various peaceful settlement methods be strengthened.

On February 27 the U.S. Representative, Robert Rosenstock, called attention to the failure of the Special Committee to agree on the meaning of its mandate. In discussing the Soviet proposal, he criticized the Soviets for professing peaceful intentions while using force across an international boundary, shooting down a civilian airliner, and walking out of arms control talks. He also rejected the Soviet doctrine of limited sovereignty and called for recognizing that human rights violations lead to violence, in part because of the symbiotic relationship between internal repression and external aggression. Mr. Rosenstock endorsed the Western interpretation of the Special Committee's mandate, which calls for strengthening existing UN institutions aimed at suppressing the use of force.

On February 24 the Committee reestablished an open-ended working group in which the members could consider specific proposals. The working group held 15 meetings between February 28 and March 9, 1984. Between March 9 and 12, the Committee devoted 3 meetings to an evaluation of the work done. On March 15 and 16 the

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<sup>3</sup>The 35 members in 1984 were Argentina, Belgium, Benin, Brazil, Bulgaria, Chile, Cuba, Cyprus, Ecuador, Egypt, Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and the United States.



Committee considered and approved the report of the working group and also adopted its own report. The Committee's report to the General Assembly contained no recommendations or conclusions.

## **General Assembly**

The Sixth Committee considered the report of the Special Committee at 12 meetings between October 4 and December 5.

On October 9 the U.S. Representative, Robert Rosenstock, reiterated the longstanding U.S. view that since the UN Charter already prohibits the use of force, a world treaty on the subject would either conflict with the Charter or amount to needless and confusing duplication. He indicated that Soviet withdrawal from Afghanistan, repudiation of the limited-sovereignty (Brezhnev) doctrine, or agreement on concrete confidence-building measures would be a more convincing demonstration of the U.S.S.R.'s sincerity. The U.S. Representative advocated studying the reasons why the UN Charter's norm on the non-use of force has not proven more effective, stating that corrective efforts should focus on improving the UN collective security system and other aspects of the peaceful settlement of disputes.

On November 28, Mongolia introduced a draft resolution which was ultimately sponsored by 31 states. Like the resolution adopted at the 38th General Assembly, the draft provided for continued work by the Special Committee on a treaty or on such other recommendations as the Committee deems appropriate. In addition, the draft resolution asked the Committee to speed up its elaboration of the main elements of the principle of non-use of force in international relations. At the same meeting the Sixth Committee approved the draft resolution by a recorded vote of 80 to 16 (U.S.), with 11 abstentions.

On December 13, by a recorded vote of 111 to 15 (U.S.), with 10 abstentions, the General Assembly plenary adopted the resolution recommended by the Sixth Committee. (Resolution 39/81.)

## **PROTECTION OF DIPLOMATS**

The item on "Consideration of effective measures to enhance the protection, security, and safety of diplomatic and consular missions and representatives" had been included in the agenda of the Assembly in 1980 at the initiative of five Nordic countries. At that time the delegations of those countries had indicated the need to safeguard the maintenance and normal development of diplomatic and consular relations, the cornerstone of cooperation between states and peoples irrespective of their political and social systems. They had indicated,

moreover, that diplomatic and consular missions and representatives were increasingly the subject of attacks and acts of violence, which seriously compromised cooperation between states. The premises on which the initiative of the Nordic countries had been based were as valid now as they had been in 1980. The Nordic countries have continued to take the lead on the item.

During the 39th session of the Assembly, the Sixth Committee considered the item at seven meetings, October 2-10, and November 23, and had before it, among other things, a report prepared by the Government of Burma on the bombing of the Martyrs' Mausoleum in Rangoon on October 9, 1983. This report, after a factual account of some 24 pages, concluded that "it is clear that there is enough irrefutable evidence that establishes the fact that the bomb attack was the work of the three North Koreans acting pursuant to the order of the authorities of the Democratic People's Republic of Korea" and "was directed primarily against the officials of the Republic of Korea who were on an official visit to Burma."

During the general debate in Committee, the U.S.S.R. Representative called for strict adherence to the principles and norms governing protection of diplomats and condemned all violations whatsoever in general terms, and then alleged a series of specific incidents in the United States, the Federal Republic of Germany, and Tokyo involving Soviet diplomats and "diplomatic mail" as illustrations of discriminatory failure to protect from harassment and intimidation. Specific incidents mentioned included failure of a Washington, D.C. police officer to accord prompt and full privileges to a Soviet Embassy official, the detention of a "diplomatic mail truck" by the Federal Republic of Germany, and unspecified harassment in New York City.

The U.S. Representative, Robert Rosenstock, condemned attacks on diplomats and diplomatic missions as barbaric actions threatening the very basis of organized international society. He referred specifically to the attack on the U.S. Embassy in Beirut and to the Rangoon bombing as calling for international condemnation and effective international cooperation to prevent such occurrences and punish those who commit them. In the latter context, he commended the efficiency of the Government of Burma in responding to the atrocity and noted as particularly horrifying the evidence that the bombing was undertaken by a governing authority. He expressed strong U.S. support for all the measures recommended by resolution 38/136 and indicated the particular desirability of a consultative mechanism for coordinated action where violations occur. He noted that comparable steps, i.e., the Bonn Declaration of 1978, had been effective with respect to aircraft hijacking.

Mr. Rosenstock referred to the recent conviction by U.S. authorities of a man responsible for the murder of a Cuban diplomat as well as other attempts on diplomats. The triviality of the incidents cited by the Soviet Representative, combined with the absence of any reference to episodes when lives had been lost such as Rangoon, however, betrayed a lack of respect for the significance of this agenda item, as well as a discriminatory focus of concern. The Soviet Representative, in turn, responded that this was "unfair" since they had condemned all criminal acts whatsoever and added that raising the Rangoon incident was in any case "provocative" since it had been traced to "South Korean puppets."

On November 23, Norway introduced a draft resolution sponsored by 17 states which, *inter alia*, (1) strongly condemned acts of violence against diplomatic and consular missions and representatives to international intergovernmental organizations and officials of such organizations; (2) emphasized the importance of enhanced awareness throughout the world of the necessity of ensuring the protection, security, and safety of diplomatic and consular missions; (3) urged states to consider becoming parties to the relevant legal instruments; (4) provided generally for strengthening the violation reporting mechanism by requesting the Secretary General to invite states to inform him of their views of ensuring the protection of missions and representatives; and (5) decided to include the item in the agenda of the 40th General Assembly.

The draft was approved in Committee on the same day without a vote, and in the same manner by the plenary Assembly on December 13. (Resolution 39/83.) Speaking in the plenary Assembly after the vote the U.S. Representative, Robert D. Ray, said:

Terrorism is war against civilized society. For the terrorist, violence is politics, contrary to everything for which the United Nations stands. Nothing—I repeat, nothing—can justify terrorism. It is incumbent on the organized international community to leave no doubt that it does not tolerate terrorism.

During the past year, the United States has suffered the anguish of having its diplomats killed and its embassies attacked. Only last week two American civilians—officials of the Agency for International Development—were brutally murdered aboard the hijacked Kuwaiti plane in Tehran. These American diplomats were singled out for murder. On 20 September of this year the United States Embassy in Beirut was bombed. American and other lives were lost and scores of people were injured. Other United States diplomats and diplomatic establishments in Beirut and elsewhere have been attacked. Americans have been killed in Europe and in Africa. We feel these losses deeply, and also those of other nations.

All acts of terrorism are appalling. At the human and moral levels attacks against diplomats are no more appalling than any other acts of terrorism against persons, but they may be more dangerous to peace. Diplomats and international civil servants are the means by which States communicate with each other. Serious differences between States will continue to exist, and attacks on diplomats strike at our principal means of resolving those differences.



The United States believes that the United Nations should take determined action against terrorism. We can think of no better place to start than with the protection of diplomats. All nations surely desire the protection of their officials.

The resolution we have adopted today should serve notice that the nations meeting here in organized session do not condone and will not tolerate acts of violence against diplomats or against international civil servants. We hope all nations will implement the recommendations of this resolution. It is the very least we can do now to act against attacks on diplomats and international civil servants.

## INTERNATIONAL CONVENTION AGAINST MERCENARY ACTIVITIES

In resolution 35/48, the General Assembly established an *Ad Hoc* Committee on the Drafting of an International Convention Against the Recruitment, Use, Financing, and Training of Mercenaries. The *Ad Hoc* Committee was to be composed of 35 member states but currently consists of 34.<sup>4</sup> At its first session in 1981, the Committee discussed the various issues that must be resolved before an international convention against mercenary activities can be concluded.

During its 1982 session, the Committee had before it draft conventions prepared by Nigeria and France, comments from several member states, and a compilation of international agreements and national legislation relating to mercenary activities. In addition to discussing the draft articles of the Nigerian and French texts and related proposals from other member states, the Committee formed two working groups which utilized most of the time allocated to the Committee for its 1982 session. Working Group A dealt with issues of definition and the scope of the future convention, and Working Group B addressed all other issues relevant to it. Both Working Groups succeeded in clarifying, and thus simplifying, a number of issues, although some critical ones such as the definition of the term "mercenary" were not resolved. This work was continued during the 1983 session.

From July 30 to August 24, 1984, the Committee held its fourth session at Headquarters under the Chairmanship of Ambassador Harley S. L. Moseley (Barbados). Committee approval was given for participation by observer delegations from Cape Verde, Egypt, Iraq, the Libyan Arab Jamahiriya, Mexico, Morocco, Nicaragua, Nigeria, and Vietnam. The Committee decided to reconstitute the two working

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<sup>4</sup>Algeria, Angola, Bangladesh, Barbados, Benin, Bulgaria, Canada, Cuba, Democratic Yemen, Ethiopia, France, Federal Republic of Germany, German Democratic Republic, Guyana, India, Italy, Jamaica, Japan, Mongolia, Portugal, Senegal, Seychelles, Spain, Suriname, Togo, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, Zaire, and Zambia.

groups which had been formed at its first session and reconstituted at each succeeding session.

During the 39th session of the General Assembly, the Sixth Committee considered the report of the *Ad Hoc* Committee at 10 meetings between November 16 and December 6. Commenting on the Committee's work, the U.S. Representative, Carolyn Willson, noted that the 1984 session had been a constructive one marked by steady progress. The future convention, she said, should focus on specific criminal offenses over which states parties would agree to assume jurisdiction under their domestic law and should emphasize harmonization of domestic criminal laws as the primary means of controlling unlawful activities.

On December 6, the Nigerian Representative introduced a draft resolution, subsequently sponsored by 48 countries, which was substantially identical to earlier resolutions. The draft, *inter alia*, decided the Committee should accept participation of observers of member states, including participation in the meetings of its working groups; renewed the mandate of the *Ad Hoc* Committee; and asked the Secretary General to make available to the Committee at its 1985 session a topic summary of discussions of the subject in the Sixth Committee during the 39th General Assembly. The draft was approved in Committee by consensus on December 6 and was adopted in the plenary Assembly without vote on December 13. (Resolution 39/84.)

Speaking in Committee after the vote, the U.S. Representative, Mr. Rosenstock, said that his delegation's participation in the consensus did not mean that it agreed totally with each provision of the resolution, notably, that "the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of states, territorial integrity and independence, and seriously impede the process of self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination." His delegation would, however, seek to participate as constructively as possible in the preparation of a draft convention.

## REVIEW OF MULTILATERAL TREATY-MAKING PROCESS

This item originally was included in the agenda of the 32nd General Assembly, at the request of Australia and six other countries, to assess the efficiency of the various methods of multilateral treaty-making. The 39th General Assembly allocated the item to the Sixth Committee which had before it the Secretary General's report.

On September 27, pursuant to General Assembly decision 38/425, the Sixth Committee reconvened an open-ended working group with the aim of completing the work on the review of the multilateral treaty-making process, which had begun at its 32nd session. The working group, among other things, was to assess the methods of multilateral treaty-making used in the United Nations and in conferences convened under its auspices to determine whether the current methods of multilateral treaty-making are as efficient, economical, and effective as they could be to meet the needs of member states, and to make recommendations on the basis of that assessment.

During the period from September 27 through November 23, 1984, the working group held 13 meetings and completed its work with the adoption of the "Final document of the Working Group on the Review of the Multilateral Treaty-Making Process." The document contains a number of modest recommendations designed to encourage states to recognize that the treaty-making process is a delicate as well as an important process and that overuse as well as misuse can be counter-productive.

On November 29 Thailand introduced a resolution, cosponsored by Australia, which, *inter alia*, asked the Secretary General to circulate the document to member states; recommended that states consider use of the procedure set forth in the document when contemplating the initiation of a multilateral treaty within the UN framework; and requested the Secretary General to prepare a handbook on multilateral treaty-making. The draft was approved in Committee on December 6 and adopted in the plenary Assembly on December 14 by a vote of 125 (U.S.) to 0, with 12 abstentions. (Resolution 39/90.)

## HOST COUNTRY RELATIONS

The General Assembly established the Committee on Relations with the Host Country<sup>5</sup> to replace the informal Joint Committee on Host Country Relations. The Committee is concerned with the security of missions, safety of personnel, tax problems, and other issues relating to the Headquarters Agreement between the United States and the United Nations.<sup>6</sup>

During 1984 the Committee received a number of notes from member countries reporting acts of violence, demonstrations, and

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<sup>5</sup>The Committee's membership in 1984 was as follows: Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, and the United States of America.

<sup>6</sup>Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (Resolution 169 II), October 31, 1947.



other events said to affect the operation and security of missions and personnel.

On February 23, 1984, the Soviet Delegation complained about a fire-bomb terrorist attack that occurred at 3:30 a.m., directed at the Soviet Ambassador's residence in Riverdale, New York. The U.S.S.R. lodged a vigorous protest and called upon the United States to punish those responsible and ensure that such incidents be prevented in the future.

On February 28, 1984, the U.S. Mission responded to the Soviet complaint and asserted that the U.S. Government had publicly condemned this act as a disgraceful, cowardly attack that brought disrepute upon the United States. The reply stressed that an intensive investigation into the fire-bombing was being carried out by the FBI and the New York Police Department under the auspices of the Joint Terrorist Task Force, in an ongoing effort to apprehend the guilty parties. The note also stressed that terrorism would not be tolerated in the United States.

The Committee's first formal meeting of the year, its 102nd, was held on February 29, 1984. The Soviet Representative raised the February 23 fire-bombing incident and asserted that, since the perpetrators of the incident were well known to the police authorities and had gone unpunished, the United States was aiding and abetting the terrorist campaign and therefore failed to observe its international obligations. The U.S. Representative, Ambassador Charles Lichenstein, rejected the Soviet statement as having no basis in fact. He noted that the record has always shown a genuine commitment by U.S. authorities in responding to terrorist activities in the United States. Ambassador Lichenstein concluded this most recent incident would be investigated as vigorously as others have in the past and was certain that those responsible would be apprehended and prosecuted. In addition, he emphasized that the United States takes and will continue to take all possible steps to fulfill its obligation under international law.

Also considered by the Committee was a complaint by the Soviet Representative alleging that the Foreign Missions Amendments Act of 1983 was incompatible with U.S. obligations under the Headquarters Agreement and the 1961 Vienna Convention on Diplomatic Relations. The Bulgarian Representative joined the Soviet Representative and charged that some provisions of this Act were discriminatory and directed at limiting and undermining the rights and privileges of diplomatic missions. Responding to those comments, Ambassador Lichenstein rejected the notion that the United States had passed a law in violation of its international obligations. He added that the only purpose of the Foreign Missions Amendments Act was to ensure that missions had proper liability

insurance in order to fulfill their obligations under New York State Law.

On April 30, 1984, the 103rd meeting was held to discuss the Foreign Missions Amendments Act. The Director of the Office of Foreign Missions in the Department of State, James Nolan, was present. Mr. Nolan thought it unfortunate that the Act appeared to have caused concern and controversy within the UN community. In fact, the promulgating of the regulations in question resulted from accidents involving uninsured diplomatic motorists, and the Act only clarified details for executing a diplomat's obligations to maintain valid liability insurance. The Soviet Representative, joined by the Bulgarian and Iraqi Representatives, repeated their claim that the Act was in contravention of the Vienna Convention. Mr. Nolan replied that the Act did not contravene international law, that it was a product of an entirely legitimate Congressional concern at the incidence of uninsured diplomats operating motor vehicles, and that its provisions were mandatory for all missions which desired to operate motor vehicles within the United States.

As a result of the 103rd meeting, the following three meetings—the 104th, 105th, and 106th—were devoted to technical discussions concerning the new motor vehicle program of the Office of Foreign Missions.

The 107th meeting was held on October 25, 1984. The Representative of the Libyan Arab Jamahiriya, speaking in an observer capacity, protested the restrictions imposed by the United States on the use of Libyan residential property in Englewood, New Jersey, and against newly imposed travel restrictions which confined members of the Libyan mission to the area covered by the five boroughs of New York City. The Representatives of the Soviet Union and Bulgaria voiced concern that the restrictions imposed on the Libyan Mission were illegally imposed by the U.S. Government. The U.S. Representative, Ambassador Harvey Feldman, stated that while more time was needed for a full and formal reply to such serious charges, and that such a response would be made directly to the UN Legal Counsel, he nevertheless wished to point out that delegates did not have an unrestricted right to reside anywhere in the United States, and that the five boroughs of New York were an entirely adequate area for one to reside if employed by, or assigned to, the United Nations. Ambassador Feldman added that no country can waive its right to maintain public order and its obligation to protect its citizens.

At its 108th meeting, on November 18, 1984, the Committee approved recommendations on the security of missions and personnel, indebtedness of certain missions and their personnel, and parking matters.

The General Assembly considered the report of the Committee on Host Country Relations on December 13, 1984. The report recalled Article 105 of the Charter of the United Nations and the Headquarters Agreement between the United States and the United Nations; it recalled further that problems related to the privileges and immunities of all missions accredited to the United Nations, their security and the safety of their personnel, are of great importance and concern to all, as well as the primary responsibility of the Host Country. The report strongly condemned acts of terrorism and requested the Secretary General to remain actively engaged in all aspects of Host Country Relations. On December 14, 1984, resolution 39/87, which approved the report of the Committee on Relations with the Host Country Committee and requested that it continue its work, was adopted without a vote.

## **PROTECTION OF PERSONS UNDER DETENTION OR IMPRISONMENT**

Among the draft instruments pending before the General Assembly, the United States accords priority to the "Draft Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment." This draft text was prepared by the UN Subcommission on Prevention of Discrimination and Protection of Minorities and was forwarded to the General Assembly via the Commission on Human Rights and the Economic and Social Council. Prior to the 35th session of the General Assembly, the United States submitted detailed comments on the Draft Principles, in response to a request from the Secretary General. At the beginning of the 35th session, moreover, the United States took the lead in ensuring that the text would be considered in a formal working group of the Third Committee. The 35th session recommended the matter be transferred to the Sixth Committee.

The Sixth Committee formed working groups during the 36th, 37th, and 38th sessions, under the chairmanship of Luigi Ferrari Bravo of Italy, and during the 39th session, under the chairmanship of Tullio Treves, also of Italy. Despite the best efforts of the Chairman and the Working Group members, progress has been somewhat slow. At the 36th session, Principles 7 and 8 were adopted; at the 37th session, Principles 9 through 13; at the 38th session, Principles 14 through 18; and at the 39th session, Principles 19 through 21(1).

At its first meeting, on 26 September 1984, the Working Group decided to take up the work where the 1983 Working Group had left off, namely, at Principle 19. As in the case of the 1981, 1982, and 1983 Working Groups, it was agreed to postpone consideration of the



definitions and to concentrate for the time being on the preparation of texts which were generally considered acceptable but were nevertheless provisional in nature at the current stage. In the course of the debate, it was noted that the reference to the law was made in some, but not in all, of the principles, supplemented by a reference to lawful regulations. The Working Group is aware of the need to ensure consistency in this respect. One solution would be to eliminate the reference to lawful regulations wherever it occurs, it being understood that the word "law" is intended to cover legislative enactments as well as regulations. At this session, the Working Group decided, also for reasons of terminological consistency, that reference should be made generally to imprisonment as well as detention.

At the 39th Session, the working group adopted Principle 19 on improperly compelling confession or self-incrimination; Principle 19 *bis* on medical experimentation; Principle 20 on records of interrogations; Principle 21 on medical care and treatment; and Principle 22, paragraph 1, on requests for a second medical opinion.

The Sixth Committee considered the item at two meetings on December 3 and 4. A draft decision was introduced by Sweden which, *inter alia*, decided that an open-ended Working Group would again be established at the 40th session with a view to expediting the completion of the Draft Principles. The draft decision was also requested the General Assembly to circulate the report of the 1984 Working Group. The decision was approved without a vote in Committee and adopted in the General Assembly in the same manner on December 13. (Decision 39/418.)

## PROTECTION AND WELFARE OF CHILDREN

One of the draft instruments pending before the Sixth Committee during the 39th General Assembly was the "Draft Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children With Special Reference to Foster Placement and Adoption Nationally and Internationally." With significant U.S. involvement and support, the Draft Declaration had been formulated and adopted in the Commission on Social Development and forwarded to ECOSOC in 1979. ECOSOC submitted the text to the General Assembly in 1979 and requested the Secretary General to transmit the text of the Draft Declaration to all member states with a view to obtaining their comments on the matter. The 35th General Assembly did not consider the report of the Secretary General containing the comments. In 1981 the Economic and Social Council again requested the General Assembly to consider the Draft Declaration at its 36th session and it was placed on the agenda of the Third Committee of that Assembly.

Despite the efforts of the Swedish and U.S. Delegations, no action was taken on the item by the General Assembly in 1981 except the adoption of resolution 36/167, which recommended that the Draft Declaration be referred to the Sixth Committee of the 37th session and that appropriate measures be taken to finalize the text at that session. The Sixth Committee took no substantive action on the Draft Declaration during the 37th and 38th sessions.

Pursuant to resolution 38/142, the item was included on the agenda of the Sixth Committee during the 39th General Assembly and was considered at three meetings from December 4 to 7. On December 7, Sweden introduced a draft resolution, cosponsored by nine other countries, which urged states to undertake consultations on the Draft Declaration and submit a paper to the General Assembly containing their common conclusions and suggestions concerning the procedure and forum for future work. The draft resolution was approved by the Sixth Committee on December 7 without a vote and adopted in the same manner in the plenary Assembly on December 13. (Resolution 39/89.)

## DEVELOPMENT OF PRINCIPLES CONCERNING INTERNATIONAL ECONOMIC RELATIONS

The Sixth Committee of the 39th General Assembly considered the item "Progressive development of the principles and norms of international law relations to the New International Economic Order (NIEO)" at six meetings between November 19 and December 5.

The Committee had before it the Secretary General's report, which submitted the lengthy study of the United Nations Institute for Training and Research (UNITAR) analyzing the list of principles and norms of international law relating to the NIEO. That study had been mandated by Assembly resolutions 35/166, 36/107, 37/103 and 38/128, to which the United States had objected on the ground that the concept of a NIEO was in so preliminary a stage of evolution that the consideration of the progressive development of international legal principles concerning it was entirely premature.

On December 5, the Philippines introduced a draft resolution sponsored by 15 states, which, *inter alia* expressed its appreciation to UNITAR for completion of the analytical study; urged member states to submit not later than June 30, 1985, views and comments on the study, as well as proposals containing further action within the framework of the Sixth Committee, to be adopted with regard to the consideration of the study; and decided to include the item in the agenda of the 40th General Assembly. The Committee approved the resolution on December 5 by a vote of 92 to 0, with 16 (U.S.)

abstentions. The plenary Assembly adopted the resolution on December 13 by a vote of 120 to 0, with 17 (U.S.) abstentions. (Resolution 39/75.)



## Budget, Administration, and Institutional Management

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As a major priority in 1984, the United States continued to seek international organization budgets that reflected conservative fiscal policies. The U.S. goal was zero real growth and maximum absorption of non-discretionary cost increases. This required careful review of UN programs, budgets, and administrative practices with the goal of assuring that resources were allocated only to activities of the greatest importance.

The work of the General Assembly's Fifth Committee (Administrative and Budgetary) is related to the work of all other main UN committees. Before the General Assembly votes on any resolution having financial implications, the Fifth Committee must provide information regarding the resolution's anticipated impact on the budget. The Fifth Committee also makes recommendations to the General Assembly on the regular program budget, the assessed peacekeeping budgets, and organization-wide administrative problems such as conference scheduling, personnel issues, and the coordination of activities among various UN organizations.

Several special UN bodies, some consisting of experts serving in their personal capacities and some of an intergovernmental nature, assist in this work.

Two important expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The ACABQ examines the Secretary General's proposals and reports to the General Assembly on the UN budget and accounts; on the administrative budgets of the specialized agencies; and on other administrative, financial, and budgetary matters referred to it. The Committee on Contributions advises the General Assembly on all questions related to the apportionment of expenses among UN members. Other expert financial bodies are the Board of Auditors, the Investments Committee (which advises on the management of the Pension Fund), and the UN Joint Staff Pension Board.

The International Civil Service Commission, composed of experts in the personnel field, makes recommendations to the General

Assembly for the regulation and coordination of salaries, allowances, and conditions of service for the United Nations, the specialized agencies, and other international organizations that participate in the UN common system.

The Committee on Conferences is an intergovernmental, administrative body which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

Three special bodies—a senior executive committee, an intergovernmental committee, and an expert group—have responsibilities ranging broadly across the work of the whole UN system of organizations. The Administrative Committee on Coordination, composed of the UN Secretary General and the executive heads of the specialized agencies, the IAEA, and other major bodies and programs, meets regularly to supervise the implementation of agreements between the United Nations and the specialized agencies and to coordinate the activities of the various organizations. The Committee for Program and Coordination, an intergovernmental body, serves as the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination. The Joint Inspection Unit, a group of full-time experts in international management, is empowered to investigate and evaluate any matter bearing on the efficient delivery of services and the proper use of funds.

Finally, the General Assembly and the Secretary General, acting independently, have, over the years, established *ad hoc* committees whose purpose has been to reorganize various aspects of the UN system in an effort to make it work more effectively toward the goals of member states. Most recently, the Secretary General established in 1983 an Advisory Group on Administrative Reform of the Secretariat, composed of top-level officials of the Secretariat.

Each of these bodies is concerned with some aspect of improving the efficiency of the UN system. The highlights of their activities during 1984 are recounted in the sections that follow.

## UN FINANCIAL MATTERS

### UN Financial Situation

The short-term deficit of the United Nations increased in 1984. As of October 9, the estimated deficit (projected to December 31, 1984) amounted to \$356 million. This amount represents an increase of \$12.8 million, or 3.7%, compared with the December 31, 1983 figure. Most of this deficit was caused by certain member states (e.g., the U.S.S.R.) that withhold all or part of their assessments for peacekeeping activities. Additionally, the three Soviet members

(U.S.S.R., Byelorussian S.S.R., and the Ukrainian S.S.R.), Bulgaria, and the German Democratic Republic submit their portion of the UN regular budget for technical assistance in nonconvertible national currencies. The United Nation accepts such payments only to the extent that it needs the specific currency.

At the 39th General Assembly the UN financial emergency was considered by the Fifth Committee at five meetings from November 23 through December 14. The Fifth Committee deliberations produced no new ideas for coping with the financial crisis. The United States did not speak on this item.

The draft resolution approved by the Fifth Committee on December 14 consisted of two parts. Part A, approved without a vote, invited the Secretary General to take appropriate measures to issue special postage stamps on the economic crisis in Africa and earmarked 50% of the revenues from the sale of said stamps for the implementation of objectives as detailed in resolution 39/29 concerning the critical economic situation in Africa. The remaining revenues would be allocated to a special account to help reduce the deficit. Part B, also approved without a vote, urged member states to meet their financial obligations and decided to continue to study and discuss the financial emergency.

On December 18, the General Assembly adopted the resolution as a whole without a vote. (Resolution 39/239 A and B.)

## UN Budget

On December 17, the Fifth Committee completed action on the program budget for the 1984-85 biennium by adopting a revised appropriation of \$1,611,511,200. The revised appropriation represented a \$24,391,400 increase over the initial 1984-85 appropriation of \$1,587,159,800, and included real growth of 1.5% as compared to the 1982-83 biennium. The revised appropriation was approved in the Fifth Committee by a vote of 87 to 16 (U.S.), with 7 abstentions.

The \$24.4 million increase was due to several factors: first, exchange-rate gains due to the strength of the U.S. dollar, plus lower than projected inflation yielded savings of \$48.3 million as compared to the initial appropriation approved at the 38th General Assembly. (Resolution 38/236 A.) However, personnel decisions taken prior to the 39th General Assembly regarding a post adjustment increase for professional staff, a salary increase for General Service staff in New York, and increased employer contributions to the pension fund and the medical insurance plan amounted to approximately \$39 million, which reduced the savings from \$48.3 million to \$9.3 million. Supplemental appropriations of approximately \$33 million approved



at the 39th General Assembly eliminated the remaining savings and necessitated an increase of \$24.4 to the initial appropriation of \$1,587,159,800. Among the more egregious supplemental items was the major construction project at the Economic Commission for Africa. The United States was also somewhat troubled by the construction project at the Economic and Social Commission for Asia and the Pacific, and the provision of regular budget subsidies to the UN Institute for Training and Research and the UN Institute for Disarmament and Research.

Speaking in the Fifth Committee on December 17, the U.S. Representative, Richard Nygard, explained his government's negative vote:

Throughout the 39th General Assembly my delegation has adopted a critical approach to budget add-ons. We have found the rationale for many proposals inadequate and we have voted accordingly. We find, though, that under the present financing system—the scale of assessments—there is little incentive to limit budget growth. The Secretariat has an interest in keeping budget requests to a minimum because those member states which pay the largest shares of the UN's bills carefully assess the Secretariat's requests for budget add-on, but, the voting majority of the Fifth Committee does not seem concerned that the UN budget be kept within established levels.

After approval by the Fifth Committee, the revised budget resolution moved to plenary for final approval. There, on December 18, by a recorded vote of 124 to 17 (U.S.), with 6 abstentions, the General Assembly approved the revised appropriation of \$1,611,551,200 for the 1984–85 biennium. (Resolution 39/237 A.) Those member states which failed to support the revised 1984–85 budget, either by voting no or abstaining, are responsible for 82.74% of the total assessments to the UN regular budget.

## **Audit Reports**

The Fifth Committee considered the financial reports and audited financial statements of the UN for the biennium ending December 31, 1983, as well as the Board of Auditors 1983 reports on nine voluntarily funded organizations: the UN Development Program (UNDP), the UN Children's Fund (UNICEF), the UN Relief Works Agency (UNRWA), the UN Institute for Training and Research (UNITAR), the UN High Commissioner for Refugees (UNHCR), the UN Fund for Population Activities (UNFPA), the UN Environment Program (UNEP), the UN Habitat and Human Settlements Foundation (UNHHSF), and the UN Industrial Development Fund (UNIDF). The reports were considered at nine meetings from September 28 to October 24.

In her statement before the Fifth Committee on October 2, the U.S. Representative, Virginia Housholder, focused on problems which the auditors encountered in a number of UN organizations or programs. It was the view of the U.S. Delegation that the problems identified required prompt corrective action. The problem areas involved, *inter alia*, the planning, execution, monitoring, and evaluation of field projects; cash management; and the procurement of supplies and equipment.

Mrs. Housholder emphasized that much of the important work of UN organizations is done in the field. Therefore, it was disturbing to note the number of cases where executing agencies failed to maintain even minimum standards of efficiency in project planning, execution, monitoring, and evaluation. Although the specifics differed from agency to agency, none seemed to have been free of major shortcomings. Technical assistance projects executed by UNDP, UNICEF, UNIDF, UNEP, and UNHCR all suffered in varying degrees.

Turning to the problem of cash management, Mrs. Housholder pointed out that despite repeated urging by the Board of Auditors, a number of agencies continued to follow antiquated cash management techniques. For example, some UN agencies maintained large cash balances in low or non-interest-bearing accounts. Although progress had been made in this area by some agencies, others continued to lag behind.

In the area of procurement, Mrs. Housholder stated that despite numerous findings by the Board of Auditors, some UN agencies continued to ignore the basic principle of procurement from the lowest bidder. Mrs. Housholder noted that there were a number of procurement irregularities found at UNRWA, UNICEF, and UNHCR, and the UN International Trade Center and that non-competitive bidding practices, if not corrected, can result in fraud.

Mrs. Housholder's statement, which was the first major address delivered in the Fifth Committee during the 39th General Assembly, was well received. Her statement reinforced the U.S. commitment to sound financial management in the UN system.

The conclusion of Mrs. Housholder's statement did not, however, signal the end of U.S. action on the audit reports. Although not specifically addressed by the auditors, the U.S. Delegation raised the issue of the mounting deficit of the UN catering operation in New York as reported in the financial statements. During the 1982-83 biennium, the catering operation lost approximately \$1.1 million, an increase from the three-quarter-million-dollar loss reported for the 1980-81 biennium.

On October 19, the U.S. Representative, Michael Michalski, introduced a draft resolution which requested the Secretary General

to take steps to rectify the situation that is causing the deficit in the catering operation. After revision, the draft resolution was approved by the Fifth Committee on October 24 and adopted by the General Assembly on December 13, in both instances without a vote. (Resolution 39/67.)

With regard to the audited financial statements, the Chairman of the Fifth Committee introduced a draft resolution on October 18, which accepted the financial reports and the audit opinions and which supported the comments of the ACABQ. After minor revisions were made, the draft resolution was approved in Committee on October 19 and adopted by the General Assembly on December 13, in both instances by consensus. (Resolution 39/66.)

## **Financing of Assessed Peacekeeping Operations**

Two resolutions were adopted by the 39th General Assembly relative to the financing of the UN peacekeeping forces. Both were recommended for adoption to the Plenary Assembly by the Fifth Committee.

On November 30, 1984, the General Assembly, by a recorded vote of 98 (U.S.) to 2, with 12 abstentions, appropriated \$17,489,496 for the operation of the United Nations Disengagement Observer Force (UNDOF) for the period June 1 through November 30, 1984, and \$17,852,500 for the period December 1, 1984 through May 31, 1985. The resolution also authorized the Secretary General to enter into commitments for UNDOF at a rate not to exceed \$2,975,416 per month from June 1 to November 30, 1985, should the Security Council decide to continue the Force beyond the 6 months authorized under its resolution 557 (1984) of November 28, 1984. (Resolution 39/28a.)

On December 13, 1984, a second resolution was adopted by a recorded vote of 121 (U.S.) to 15, with 3 abstentions. It appropriated the following amounts for the operation of the United Nations Interim Force in Lebanon (UNIFIL): \$70,446,000 for the period April 19 through October 18, 1984; \$23,482,000 for the period October 19 through December 18, 1984; and \$46,964,000 for the period December 19, 1984 through April 18, 1985.

Contingent upon Security Council renewal of UNIFIL's mandate, the Secretary General was authorized to enter into commitments for the operations of UNIFIL from April 19, 1985 through December 18, 1985, in an amount not to exceed \$11,741,000 per month. (Resolution 39/71.)

In a related action, the General Assembly on December 13, 1984, by a recorded vote of 119 (U.S.) to 15, with 6 abstentions, adopted a resolution which requested the Secretary General to review, in consultation with the states contributing troops to UNDOF and



UNIFIL, the existing standard rates of reimbursement, with a view to ensuring a more equitable rate to the governments of troop-contributing states, and report on this matter to the 40th General Assembly. (Resolution 39/70.)

## **Scales of Assessment**

At its 37th session, the General Assembly approved the scale of assessments for 1983-85 and decided that the Committee on Contributions<sup>1</sup> should submit to the General Assembly no later than at its 39th session a study on alternative methodologies to assess member states and a set of guidelines for the presentation of statistical data. The work of the Committee on Contributions was detailed in its report to the 38th General Assembly. However, no clear consensus emerged in favor of one particular methodology and, therefore, the question of alternative methodologies remained open for discussion at the 39th General Assembly.

For its consideration of this subject at the 39th General Assembly, the Fifth Committee had before it the Report of the Committee on Contributions, which provided further detail on alternative methodologies. The subject was considered at 14 meetings from October 2 through December 18.

The U.S. statement on the subject of the scale of assessments was one of the most controversial statements delivered in the Fifth Committee during the 39th General Assembly. Speaking in the Fifth Committee on October 11, Ambassador Alan L. Keyes stated that capacity to pay, which is the primary factor taken into account by the Committee on Contributions in computing the scale of assessments, "is an inappropriate concept for funding an organization based on national sovereignty." As evidence, Ambassador Keyes cited two aspects of the present methodology which threaten the long-term viability of the system.

The first aspect was what Ambassador Keyes termed "the built-in lack of incentive for fiscal restraint"; i.e., some 79 countries pay so small a percentage to the UN budget (0.01%) that almost no amount of additional spending represents any appreciable cost for those countries. The second aspect is directly related to the first. Namely, with so many members contributing so little financially, 10% of the membership is required to pay 85% of the bills. Ambassador Keyes pointed out the tenuousness of such a system by stating that "when a majority of the membership of an organization can pass new spending measures without incurring significant cost to themselves, the

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<sup>1</sup>The Committee is an expert body appointed by the General Assembly for 3-year terms. Richard V. Hennes of the United States was a member during 1984.

integrity of the organization will be preserved only if the majority shows restraint and maturity in exercising its voting power."

The fact that the organization's largest contributor questioned the very basis of the scale of assessments was difficult for many member states to accept. As a result, Fifth Committee discussion of this item was sharply divided along North-South ideological grounds. The Group of 77 went so far as to break off informal consultations and present a draft resolution designed to reduce or limit the assessments of middle income developing countries and OPEC countries. The WEOG and Eastern European groups countered with a draft which contained some minor concessions but did not substantially alter the formula for determining the scale. The result of the split was that the Fifth Committee was unable to decide upon a set of recommendations to influence the formulation of a new scale of assessments for 1986-88, and further discussion was deferred to a resumed session of the 39th General Assembly.

The Fifth Committee did, however, adopt a resolution on the scale of assessments for two new member states, Saint Christopher and Nevis (0.01%) and Brunei Darussalam (0.03%). The resolution was adopted in both the Fifth Committee and the Plenary on December 18 without a vote, (Resolution 39/247.)

The General Assembly fixes the rates of assessments for UN members on the basis of recommendations of the Committee on Contributions. Specialized agencies determine their own assessment rates, and in most cases these rates follow the UN scale.

The table on page 9 represents the U.S. share of the assessed budget of the United Nations, the specialized agencies, and the IAEA for calendar years 1984 and 1985.

## **Impact of Inflation and Monetary Instability Upon the Regular Budget of the United Nations**

The Fifth Committee considered the Secretary General's report on the impact of inflation at six sessions between November 23 and December 15, 1984. The report, responding to a resolution of the previous General Assembly, attempted to study the causes of inflation and their impact on the budget. The report concluded that worldwide inflation has many causes and that no single cause can be easily defined or measured. No action was proposed by the report.

However, Cuba, Guinea-Bissau, Iran, Libya, Mexico, and Nicaragua introduced a resolution on the topic which the Fifth Committee approved on December 15 by a vote of 43 to 23 (U.S.), with 11 abstentions. This resolution was subsequently adopted by the General Assembly on December 18, as resolution 39/240, by a vote of 83 to 25 (U.S.), with 23 abstentions.

## Table of Assessments

	1984 Percent	1985 Percent
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
ILO	25.00	25.00
IMO	4.96	4.96
ITU	7.65	7.64
UNESCO*	25.00	—
UPU	4.69	4.69
WHO	25.00	25.00
WIPO**	4.00	3.88
WMO	24.51	24.45
IAEA	25.85	25.85

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\*Reflects U.S. withdrawal from UNESCO effective January 1, 1985.

\*\*Average U.S. assessment for the four conventions to which the U.S. pays assessments.

The resolution stated in its preamble that the increased costs of goods and services in the UN system result from inflation and monetary instability in developed countries. The operative paragraphs of the resolution called upon the Secretary General to prepare a more penetrating study of the inflation problem and to describe the amounts of extra cost in each of the last four biennia arising from inflation in the developed countries where UN organizations have their headquarters.

The United States opposed the resolution as a politically inspired gesture devoid of economic foundation. Other developed countries joined the United States in challenging the underlying premises of the resolution, and criticized its action requests as a waste of UN resources unlikely to produce usable findings.

## INSTITUTIONAL MATTERS

### Committee for Program and Coordination

The 21-member Committee on Program and Coordination (CPC)<sup>2</sup> is the main subsidiary organ of both ECOSOC and the General Assembly dealing with planning, programming, and coordination.

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<sup>2</sup>Members in 1984 were Argentina, Brazil, Cameroon, Chile, Egypt, Ethiopia, France, Federal Republic of Germany, India, Indonesia, Japan, Liberia, Netherlands, Nigeria, Pakistan, Romania, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, and Yugoslavia.



The CPC held its 24th session in New York from April 23 to June 1, 1984. The major topics considered were (1) revisions to the Medium-Term Plan for 1984-89; (2) program performance for 1982-83; (3) review of evaluation activities; and (4) a cross-organizational program analysis on human settlements.

At its summer session, ECOSOC endorsed the CPC's conclusions and recommendations. (Resolution 1984/61.) The 39th General Assembly considered CPC's report again under its agenda item on program planning. The CPC recommendations were approved without change as part of an omnibus resolution on program planning adopted on December 14, without a vote. (Resolution 39/238.)

## **REVISIONS TO THE MEDIUM-TERM PLAN**

In his introduction to this document, the Assistant Secretary General for Program Planning and Coordination noted that the Plan for the 1984-89 period was the first 6-year, fixed-horizon plan to be adopted by the General Assembly. As a consequence of the well-defined procedures followed in the preparation and review of the plan, the proposed revisions generally consisted of adjustments to incorporate legislative mandates formulated after adoption of the original plan. In addition, no revision was proposed for 10 of the major programs. In conclusion, he noted that the proposed revisions were restricted to those that specifically affected the objectives and strategies of a subprogram and were necessary to provide the legislative framework for the proposed program budgets for 1986-87 and 1988-89.

Most of the proposed changes were accepted without significant change.

## **PROGRAM PERFORMANCE FOR 1982-83**

The CPC reviewed a report on the implementation of the 1982-83 program budget. While generally satisfied with the progress made, CPC members had a number of criticisms. The United States noted that there were no examples of program termination under the criteria for determining program obsolescence and that there were no examples in which high program implementation rates were ascribed to either overstaffing or underprogramming. Some of the developing countries expressed concern about the amount of change in program delivery totals when compared to original authorizations. The African members in particular criticized the reported 65% departure rate from program commitments for the ECA. However, the Secretary General's representatives explained the reasons for this shortfall, which included chronic staffing problems at ECA Headquarters in Addis Ababa.

In conclusion, the CPC called for more qualitative analysis in future reports and an expansion of the scope to include all categories of activities and the greatest possible number of administrative units.

## REVIEW OF EVALUATION ACTIVITIES

The Committee's primary consideration was given to an evaluation of UNDP-financed technical cooperation activities of UNIDO in the field of manufactures, as presented in a study by the Secretary General entitled "Evaluation." The study, a product of 3 years of research, had originally been presented to CPC in 1983. However, because of critical comments by the agencies concerned, substantive consideration of the report had been delayed until the Governing Council of UNDP and the Permanent Committee of UNIDO's Industrial Development Board had an opportunity to review it.

The Secretary General's 1984 report included, *inter alia*, proposals for the continued monitoring and assessment of those recommendations which were already being implemented by UNDP and UNIDO, as well as those considered feasible for future implementation. The Committee was urged to take conclusive action on this evaluation study at this session.

The United States reiterated its strong disapproval of UNIDO's generally negative response to the tripartite evaluation. While UNDP supported nearly all the recommendations of the evaluation team, UNIDO failed to acknowledge any of the problems presented and resisted making any changes in its operations. However, UNIDO was supported, to varying degrees, by other delegations, and in the end the CPC made no substantive criticism of UNIDO, agreeing only to monitor the response of the agencies to the report's recommendations.

The Committee next dealt with a Joint Inspection Unit (JIU) report entitled "United Nations Department of Technical Cooperation for Development (DTCD)." The debate was generally constructive, and it was clear that the JIU report was considered a good summary of the problems of this part of the Secretariat. The CPC observed that the present difficulties of DTCD came from its mandate, structure, methods of procedure, and administrative organization. The difficulty of forecasting extrabudgetary resources had a negative effect on its operations, and DTCD was probably insufficiently competitive with other project-executing agencies. The Committee concluded that the problems pointed out by the JIU were gradually being solved, even though some issues were still outstanding. It generally supported the JIU recommendations, in particular the one which called for DTCD to be given a clear mandate through the issuance of terms of reference. The CPC did not specifically endorse the JIU's proposal for

a separate evaluation unit within DTCD. Instead, it called for "continuous attention" to evaluation, improvement of present evaluation measures to make them more effective, and the utilization of "all existing possibilities" in this area. A recommendation on the recruitment of experts was not specifically endorsed because it was considered transitory and the Secretary General had already agreed that more should be done. The United States supported these decisions of the Committee.

Another topic of concern was a Secretary General's report on the document dissemination system. The report had been requested by the CPC in 1982 when an evaluation study on mineral resources indicated that UN publications were not reaching their intended audience. The report concluded that, despite some shortcomings, the present system was working well. Committee members, however, felt otherwise, and recommended that steps be taken to improve the identification of end-users, to find alternative means of distributing documents, and to give adequate publicity to various UN publications. The Secretariat officials agreed to introduce the recommended improvements, within available resources.

Finally, the CPC approved a timetable extending through 1992 for the preparation and review of evaluation reports. The topics to be covered include population, electronic data processing, development issues and policies, human rights, human settlements, political and Security Council affairs, and science and technology for development.

In a related action, the CPC decided that in the future it would devote more attention to review of JIU reports in order to facilitate subsequent consideration of them by ECOSOC and the General Assembly. The selection of the reports to be considered would be made annually at CPC's pre-session organizational meeting.

## **CROSS-ORGANIZATIONAL PROGRAM ANALYSIS**

The Committee had before it a Cross-organizational Program Analysis (COPA) on UN system activities in human settlements. In preparing this COPA, the Secretariat had attempted to have an inter-governmental body, the Commission for Human Settlements, assess the activities in the field in order to determine an order of priorities. Although the Commission made minor revisions to the list of activities submitted by the Secretariat, it took no decision to establish priorities among those activities. The United States concluded, therefore, that this first experiment to determine how well UN system activities met the needs of member states had not succeeded.

Despite this weakness, CPC members agreed that the report was an exceptional effort, which highlighted the nature and extent of activities in this field. Discussion focused on the high priority which nations should place on solving the problems of human settlements,



the need for a working definition of the topic, and the importance of coordinating activities. The Committee concluded that the report's findings and recommendations were valid and reasonable and recommended that (1) a working definition of human settlements should be developed; (2) a reassessment of priority levels among the activities was needed; (3) coordination at all levels must be improved; and (4) better utilization of resources for high priority activities should be emphasized.

## Joint Inspection Unit

The JIU consists of 11 Inspectors chosen for their background and knowledge,<sup>3</sup> who are authorized to investigate matters pertaining to efficient and effective operations in the UN system. The Unit focuses on improving management and encouraging greater coordination among organizations. The JIU statute is adhered to by 16 UN system agencies.

In 1984 the JIU published 15 reports on such topics as library management, publications policy, implementation of aspects of the restructuring resolution of 1967, personnel problems, technical cooperation, and drug abuse. These reports involved the work carried out by the UN, the ILO, IMO, WFP, IAEA, WFP, and UNHCR, as well as the UN system as a whole.

Of the reports presented to governing bodies during 1984, those of particular interest to the United States were "Publications Policy and Practice," "Common Services at the Vienna International Center (VIC)," "The International Maritime Organization," and "Personnel Problems in WFP."

The report on publications policy and practices was one which the United States found extremely informative and worthy of system-wide attention. It surveyed the production of external publications throughout the UN system and reached a number of important conclusions regarding better management of this activity. Among its more significant findings were a general lack of reliable record-keeping on publishing costs, an obvious lack of quality in many publications, insufficient effort to tailor publications to likely readership; lack of uniformity in sales policies; and significant overstocking of unsold publications. The report concluded that direct publishing costs may consume as much as 10% of UN agencies' total budgets and estimated that cumulative, system-wide expenditures for publishing were at least \$150 million.

The report recommended a number of management improvements

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<sup>3</sup>Inspectors are appointed by the General Assembly to serve in a personal capacity for 5-year terms. Earl D. Sohm of the United States is an Inspector.

in the publishing function. It endorsed greater cooperation among small agencies, more professional management of publishing operations, and establishment and maintenance of adequate data-gathering mechanisms so that true costs and production statistics could be developed. In a more controversial recommendation, the report cited evidence of gross overstocking of unsold—and unsaleable—publications as justification for a reduction of as much as 25% of the total quantity of publications currently produced by an agency. The funds thus released would be diverted into areas such as marketing, sales promotion, and distribution—areas in which the inspectors felt that current expenditure levels were inadequate and largely to blame for the lack of sales demand.

Speaking in the Fifth Committee on November 29, the U.S. Representative, Thomas R. Flesher, welcomed this report and called for a response to the many inadequacies highlighted in it. In particular, the United States called attention to the fact that of the approximately 1,800 different publications produced by the UN system in 1981, with a total press run of approximately 3.6 million copies, less than 50% appeared to have been sold or were likely to be sold. Coupled with the storage costs implicit in the stocking of so many unsold publications, this persuaded the United States to cite this report, in particular, during the Fifth Committee's consideration of the work of the JIU. Unfortunately, although this report was considered by the General Assembly, no specific actions were mandated.

Another report with strong emphasis on management efficiency and cost savings was the report on the functioning of common administrative and program support services at the UN offices and headquarters facility in Austria, the Vienna International Center (VIC). Since the opening of this facility in 1977, the United States has been concerned that housekeeping and related administrative costs be kept as low as possible, even when this led occasionally to differences of opinion with the VIC's host, the Austrian government. The VIC has a reputation in the UN system as being the UN facility in which multi-agency administrative operations are most thoroughly integrated. The United States therefore welcomed this report and noted with satisfaction that the Inspectors had not only found the shared services to be efficiently managed, but had also endorsed the extension of this concept within the operations of the VIC, and elsewhere in the UN system. The report contains a particularly important segment in which it develops a comprehensive set of guidelines for the evaluation of opportunities for the establishment and implementation of common, or shared administrative services. The United States fully supports this concept because of the obvious opportunities which it offers to effect significant savings in overhead

costs for UN operations. The full impact of this report should be felt in the long range, when UN agencies consider alterations of their administrative arrangements.

Because it was the first JIU report to appraise the work of a entire UN organization, the report on the IMO was considered by the United States especially significant. Thus, the United States encouraged this project, even though the IMO is a small agency which already enjoyed a reputation for being well managed. While the conclusions and general recommendations reached in the report were almost entirely favorable, the report nonetheless demonstrated that the JIU has a part to play in determining the overall efficiency of the entire UN organization and that this is a role which the United States wishes to foster. Regarding the IMO's current operations, the report urged increased cooperation with UNCTAD on matters of mutual interest, the establishment of greater unity in several administrative functions, and urged greater attempts to evaluate the effectiveness of the IMO's work. In response, the IMO established in 1984 a small central evaluation unit, attached to the Office of the Secretary General.

Easily the most controversial report which the JIU issued in 1984 was its indictment of the current satellite relationship between the Food and Agriculture Organization (FAO) and the World Food Program (WFP). This report reviewed several different aspects of the WFP's staffing structure and composition. It concluded that the agency was suffering from too much dependence on the FAO's personnel and management operations, and that the WFP badly needed to achieve autonomy in almost all personnel matters, particularly such areas as recruitment, promotion, and grade structure.

Although administrative autonomy for the WFP has long been a U.S. position, the U.S. Government was cautious in its endorsement of this report for several reasons. First, the report caused a strong, adverse reaction from the leadership of the FAO. Second, close review of the report's contents revealed that some of its major conclusions on personnel weaknesses were based on a rather subjective analysis of the data presented, or on data which the United States judged to be inadequate. Third, it was believed that the implementation of the report's conclusions would be strongly influenced by larger policy issues, and the U.S. goal was only to ensure that the WFP was generally managed as efficiently as possible, with the agencies themselves left free to work out management arrangements to their mutual satisfaction. Thus, the U.S. position was one which supported most of the principal recommendations on the JIU report; in particular, the development and implementation of a personnel system for WFP. The United States did not, however, support amendment of the WFP general regulations, concluding that any



necessary changes could best be effected by administrative action, such as delegation of authority from FAO.

The United States also welcomed the establishment of a joint UN/FAO Task Force as an indication that the relationship among WFP, FAO, and the UN would be reviewed in the light of current realities. Finally, the United States expressed its expectation that the WFP would have the fullest opportunity to present its views to the Task Force and have representation on working parties which would be established by the Task Force.

During the 39th General Assembly, the Fifth Committee considered several of the JIU reports and the commentary related to them, most importantly that by the ACABQ. The ACABQ was overwhelmingly favorable in its reviews, supporting almost all JIU recommendations and calling for favorable consideration of them. Even when not calling for specific action, the ACABQ requested Secretariat reports which, at the least, should keep the issues raised in those reports current. On December 15, the General Assembly adopted resolution 39/242 without a vote. In it, the Assembly renewed its 1984 request that UN organs try to reach specific and clear decisions on JIU recommendations in order to facilitate effective follow up; requested the Secretary General to ensure that the reports and his comments on them are provided to appropriate suborgans for review; and invited the JIU to include in its annual summary report to the General Assembly the purpose for which each study topic is selected. Regarding the reports on publications policy, UN libraries, and common services at the VIC, the Assembly concurred with the recommendations and observations of the ACABQ, requested the Secretary General to implement them, and requested him to report his further proposals for giving effect to the recommendations respecting the VIC to the 40th General Assembly.

(For consideration of other JIU reports, see sections on Restructuring, ICSC, and Personnel Questions.)

## Restructuring

For nearly a decade, member states have been seeking ways to strengthen the UN Secretariat and the operations of the UN family of organizations. A landmark in this search was the adoption in 1977 of a comprehensive resolution (32/197)<sup>4</sup> designed to improve the

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<sup>4</sup>The conclusions and recommendations of resolution 32/197 were divided as follows: I. General Assembly; II. ECOSOC; III. Other UN forums for negotiations, including UNCTAD and other UN organs and programs, the specialized agencies, IAEA, and *ad hoc* world conferences; IV. Structures for regional and interregional cooperation; V. Operational activities of the UN system; VI. Planning, programming, budgeting, and evaluation; VII. Interagency coordination; and VIII. Secretariat support services.

structure and performance of the economic and social sectors of the UN system. One or another aspect of resolution 32/197 has been considered each year since 1977, but the Assembly decided in 1982 that henceforth it would consider restructuring only triennially, beginning in 1984.

During 1984, UN consideration of restructuring was effectively limited to improving the work of the General Assembly's Second Committee (Economic and Financial). ECOSOC considered the topic at three meetings, July 25-27, and approved a decision (1984/182) that made recommendations for organizing the Committee's work on a biennial basis and restricting the number of topics on the agenda in any given year. ECOSOC recommended that the bulk of recurring agenda items be considered biennially. A few issues—such as the general debate and the reports of ECOSOC, UNCTAD, and UNDP—would be considered each year; and some other issues—such as restructuring, long-term trends in economic development, and a unified approach to development analysis and planning—would be considered at 3-year or longer intervals, or on an *ad hoc* basis. After consideration by the Second Committee, the 39th General Assembly, without a vote, adopted the ECOSOC proposals (with very minor changes) on December 18 (Resolution 39/217.)

In August 1983 the Secretary General initiated his own reform project by establishing a high-level, in-house Advisory Group on Administrative Reform of the Secretariat.<sup>5</sup> Its task was to identify issues or areas which needed reform if the administration of the Secretariat was to function more efficiently and effectively. The Advisory Group met intermittently in 1983 and 1984. No formal proposals for reforming the Secretariat emerged, but a number of steps were taken in the second half of 1984 to strengthen various operating procedures, including a temporary hiring freeze, tighter controls on expenditures for consultants, limitations on staff participation in meetings and conferences, initiation of a property inventory, and a program to encourage employees' suggestions. Several additional reforms were underway as the year ended.

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<sup>5</sup>Members: Under Secretary General for Administration and Management (Chairman); Director General for Development and International Economic Cooperation; Under Secretary General for Political Affairs, Trusteeship, and Decolonization; Under Secretary General for Special Political Questions; Under Secretary General for Conference Services; Executive Assistant to the Secretary General; and Director, Administrative Management Services (Secretary).

### Committee On Conferences

The Committee on Conferences<sup>6</sup> held substantive meetings from April 30 to May 4 and from August 20 to September 5 to consider recommendations concerning increasing efficiency in the delivery of conference resources, the shortening of sessions and/or adopting a biennial meeting cycle for sessions of UN organs, controlling and limiting documentation, and adoption of the draft revised calendar of conferences and meetings for 1985.

As a result of these meetings, the Committee put forth a four part draft resolution for General Assembly approval. The Fifth Committee considered the draft resolution at nine meetings from October 8 through November 16. The primary concern of the United States during the consideration of this item was preserving the integrity of the U.S. initiative (introduced in 1983) to reduce the overall number of conference days reflected in the UN calendar of conferences. A key feature of the draft resolution called upon UN organs to make use of meetings where no interpretation services are required, such as informal consultations and periods allocated to drafting documents. Further use of such sessions could accrue significant savings in conference services costs.

In voicing support for the draft resolution, the U.S. Representative, Susan Shearouse, stated that: "My delegation strongly supports the approach . . . that would reduce the number of formal meetings by increasing the use of informal meetings and/or consultations." In urging members to seek economies in conference servicing costs, Mrs. Shearouse went on to state that, "Conference resources are a scarce commodity and must be treated as such. UN bodies must not look upon conference services as an entitlement."

After the general debate was concluded on the draft resolution, an informal working group was established to discuss modifications to the draft resolution which would lead to a consensus agreement in the Fifth Committee. The working group reached agreement despite the unhelpful posture of the Egyptian delegate who was critical of the work of the Committee on Conferences and questioned the Committee's authority to allocate conference servicing resources to UN subsidiary organs.

The United States was satisfied with the results of the working group's efforts to craft an acceptable revised resolution. The integrity

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<sup>6</sup>Members in 1984 were: Algeria, Austria, Bahamas, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cyprus, France, Federal Republic of Germany, Honduras, Indonesia, Italy, Japan, Kenya, Mexico, Nigeria, Senegal, Sri Lanka, Tunisia, U.S.S.R., United Kingdom, and United States.



of our efforts to reduce conference days had been preserved. Furthermore, the group's recognition that the use of informal sessions could lead to significant savings in conference servicing costs was a noteworthy action.

On November 16, the Fifth Committee adopted without a vote a noncontroversial resolution that, *inter alia*: (1) approved the revised calendar of conferences for 1985; (2) urged UN organs submitting requests for conference services to make provision for meetings which would not require interpretation services; (3) requested the Committee on Conferences to undertake an in-depth study of all existing provisions relating to the pattern of conferences and to present the report to 40th General Assembly; and (4) asked the Working Group to continue to examine the question of the suitability of summary records as presently prepared.

After approval in the Fifth Committee, the resolution was then adopted without a vote in the plenary on December 13, 1984. (Resolution 39/68.)

## UN Accommodations

Two actions taken by the 39th General Assembly concerned UN facilities. One of those actions, the approval of the construction project for the Economic Commission for Africa (ECA) at Addis Ababa, proved to be one of the most controversial items to emerge at the 39th General Assembly. The proposal received negative press commentary in the United States, citing it as an example of the UN at its worst.

### UN BUILDING AT ADDIS ABABA

The Fifth Committee considered the Secretary General's report on the adequacy of the conference facility of the Economic Commission for Africa along with the ACABQ's recommendations at two meetings on October 16 and 18. The Secretary General's report called for: (1) approval, in principle, of a construction project estimated at \$89,360,000; (2) acceptance of the offer of the Government of Ethiopia to provide land adjacent to the existing ECA facility (taking into account the assurance by the Government of Ethiopia that all goods would be imported free of duty and sales taxes); and (3) approval of an additional appropriation of \$3,215,100 for the 1984-85 biennium.

In its report, the ACABQ reduced the overall construction cost to \$73,501,000, but otherwise supported the recommendations of the Secretary General.

On October 16, the U.S. Representative to the Fifth Committee, Richard Nygard, moved that the debate on this question be adjourned until a future date and that a decision on this item not be taken until

it could be considered with the program and the financial implications of other programs for Africa. He argued that the funds for construction of expanded conference facilities in Addis Ababa could be better utilized for programs of direct benefit to Africa as a whole and that such large and costly conference facilities were not required by ECA. The Fifth Committee rejected the motion by a vote of 73 to 21 (U.S.), with 2 abstentions.

After rejection of the U.S. motion, the Fifth Committee approved the ACABQ recommendations by a vote of 83 to 3 (U.S.), with 13 abstentions. Speaking in an explanation of vote, Ambassador Alan L. Keyes noted a cruel irony in the approval of funds for the the ECA conference center, that: "in many parts of that continent, including the very country for which this project is proposed, the future of thousands, even millions of peoples is overshadowed by threat of death and starvation." Ambassador Keyes questioned whether this expenditure would "help reduce that shadow, or will the proposed center add the insult of waste to the injury of human suffering?"

After approval in the Fifth Committee, the ECA construction proposal was then incorporated in an omnibus resolution concerning "Questions relating to the program budget for the biennium 1984-85." Due to the importance which it attached to this question, the United States spoke out again on this issue when it was considered in plenary. The U.S. Representative, Richard Nygard, stated that his government did not view this as just one more budget add-on and he implored the General Assembly to reject the Fifth Committee's recommendations for approval of the construction project. Mr. Nygard stated that this project represented a "cruel rebuff to the poor, the hungry and the downtrodden who have invested their hopes and dreams in the promise of international cooperation. For the General Assembly to casually dispose of this item without consideration of its full implications would be a grave mistake." Despite the efforts of the United States, the ECA section of the resolution was adopted by the General Assembly on December 18 by a vote of 122 to 5 (U.S.), with 16 abstentions. (Resolution 39/236, section III.)

## **UN BUILDING AT BANGKOK**

The Fifth Committee reviewed the Secretary General's report on the expansion of the conference facilities for Economic and Social Commission for Asia and the Pacific (ESCAP) along with the ACABQ's recommendation at two meetings on November 30 and December 3.

In his report, the Secretary General requested the General Assembly to approve, in principle, a construction project at a total estimated cost of \$44,177,700 and approve an additional appropriation of \$5,200,400 for the biennium 1984-85.

In its report, the ACABQ recommended approval of the Secretary General's request. Speaking in explanation previous to the vote, Mr. Nygard stated that the ESCAP construction project, coupled with the ECA construction, constituted an unwarranted financial burden upon member states, and in view of the current world situation, his government would oppose the project. At the request of the United States, a recorded vote was taken on the ACABQ recommendations. The recommendations were approved by a vote of 104 to 11 (U.S.), with 8 abstentions. The ESCAP construction proposal was included in the omnibus resolution concerning "Questions relating to the program budget for the biennium 1984-85." The ESCAP section of the resolution was adopted by the General Assembly on December 18 by a vote of 126 to 10 (U.S.), with 10 abstentions. (Resolution 39/236, section XI.)

Although not nearly as controversial as the ECA project, the ESCAP construction involved a major commitment of funds. Together the two projects resulted in a budgetary add-on of \$8,415,000 for the 1984-85 biennium and total commitments of \$117,678,700.

## International Civil Service Commission

The International Civil Service Commission (ICSC)<sup>7</sup> held its 19th and 20th sessions at Paris in March and New York in July of 1984, and issued its 10th annual report to the General Assembly in October. The ICSC has one American member, Dayton W. Hull. The most significant ICSC recommendation of 1984 was a proposed 9.6% increase in post adjustment (cost-of-living adjustment) payments for New York-based staff.

The ICSC unilaterally implemented one half of the scheduled increase in August of 1984, over the objections of the United States, the United Kingdom, France, Japan, and the Soviet Union. The United States, as well as the other opponents of the increase, argued that only the General Assembly could authorize a compensation increase of such magnitude at the base city of the system.

The Fifth Committee considered the ICSC report at 16 sessions between October 24 and December 11, 1984. The Committee also had before it a Joint Inspection Unit report<sup>8</sup> which characterized UN

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<sup>7</sup>The ICSC is responsible for making recommendations on salaries, allowances, other benefits, and conditions of service for Secretariat personnel to those organizations which participate in the UN Common system of salaries and allowances. Its members are appointed in their personal capacity as individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management.

<sup>8</sup>Staff Costs and Some Aspects of Utilization of Human and Financial Resources in the UN Secretariat. (JIU/REP/84/12.)



salaries as 33% higher than those of the U.S. Civil Service, the UN's official comparator for pay purposes. The United States and the U.S.S.R. cosponsored a resolution to revoke the 9.6% post adjustment increase. The United States advanced the view that the pay increase was not technically warranted. In addition, the United States viewed the increase as an unacceptable financial strain on the resources of the UN budget. Mr. Nygard, speaking for the United States in Committee on November 29, noted that P.L. 98-473, enacted on October 12, 1984, forbade the use of U.S. funds for the U.S. proportionate share of the post adjustment increase.

After consultations with other member states, the Fifth Committee Vice Chairman introduced a modified version of the U.S./U.S.S.R. resolution, allowing the first half of the post adjustment increase to stand, but blocking implementation of the second 4.8% increase, and requiring the ICSC to report back to the 40th General Assembly on the subject of pay-setting for UN professionals, after considering the views put forward in the JIU report. This resolution was approved by the Fifth Committee without a vote on November 29 and adopted in the same manner by the General Assembly as resolution 39/27 on November 30.

Other major ICSC actions of 1984 included revisions to the professional salary scales occasioned by the consolidation of 20 points of post adjustment into base salary on a no-loss, no-gain basis, continued implementation of job classification standards throughout the UN system, and implementation of a new grade and pay scale for General Service and related categories of UN employees in New York.

After consultations with members, the Vice Chairman of the Fifth Committee introduced an omnibus resolution approving the revised salary scales, and noting the ICSC's work in classification and general service pay setting. This resolution was approved without a vote in the Fifth Committee on December 13, and adopted, also without a vote, on December 18, in the plenary Assembly. (Resolution 39/69.)

In a related compensation matter, removed from the ICSC's jurisdiction, the General Assembly, without a vote, granted comparable pay raises to the Secretary General, the Director General for Development and International Economic Cooperation, and the Administrator of UNDP. (Resolution 39/236, section XVII.)

## **Personnel Questions**

The Fifth Committee considered personnel questions at 26 sessions between October 19 and December 17, 1984. Major items of concern were the Secretary General's annual report on the composition of the Secretariat, questions of privileges and immunities

of UN staff, and recruitment problems of the Economic Commission for Western Asia.

There were three draft resolutions introduced in the Committee under the agenda item "Personnel Questions." All were considered and adopted by the General Assembly on December 18.

The first was introduced by Saudi Arabia on behalf of eight states, all members of the Economic Commission for Western Asia (ECWA). The resolution noted the high vacancy rate in staffing the Commission, and "authorized the Secretary General to take all necessary measures to enable ECWA to recruit staff . . ." The United States opposed this section of the resolution as insufficiently specific, as giving the Secretary General too broad a charter, and as inviting unacceptable financial implications of an unknown magnitude. The draft was approved in Committee on December 15 by a vote of 72 to 2 (U.S., Israel), with 17 abstentions, and subsequently adopted by the General Assembly by a recorded vote of 123 to 2 (U.S., Israel), with 20 abstentions. (Resolution 243.)

On December 15 the Netherlands, on behalf of 12 other sponsors, introduced a draft resolution entitled "Respect for the privileges and immunities of officials of the UN and the specialized agencies and related organizations." The draft, *inter alia*, recalled the obligation of the staff in the conduct of its duty to observe fully the laws and regulations of member states; urged the Secretary General to give priority through the UN Security Coordinator to prompt followup of cases of arrest, detention, and possible other matters relating to officials; and called upon member states to respect the privileges and diplomatic immunities of UN staff. The draft was approved without a vote in Committee and adopted in the same manner in the plenary Assembly. (Resolution 39/244.)

On December 15, 1984, after consultations with member states, the Chairman of the Fifth Committee tabled a draft resolution on the composition of the Secretariat. The draft resolution requested the Secretary General to make special efforts to increase the number of women in the Secretariat, and noted his intention to designate a special coordinator for the improvement of the status of women. The resolution also urged continued efforts to end underrepresentation of nationalities in the Secretariat; urged that the creation of new posts include a reasonable proportion of P-1 and P-2 posts (the lowest professional grades); and asked for a review of an idea put forward in a Joint Inspection Unit report<sup>9</sup> that competitive examinations be used to hire at the P-3 level. Supporters of the resolution argued that these measures would open up more lower level posts to outside recruitment, thereby enhancing the chances for developing countries

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<sup>9</sup>Report on Competitive Examinations in the United Nations. (JIU/REP/84/11.)

to produce good candidates for appointment. The United States opposed competitive examinations at the P-3 level.

The United States supports the appointment of more women to the Secretariat, though with some reservations about the effectiveness of appointing a special coordinator to attain that goal. The United States supported the idea of reducing the underrepresentation of member states, as long as the paramount consideration of hiring remains that of obtaining staff with efficiency, competence, and integrity. The resolution reaffirmed those principles of UN hiring. The draft was approved in committee without a vote and subsequently adopted in the same manner in the General Assembly. (Resolution 39/245.)

In another personnel matter of note, in October the Committee on Applications for Review of Administrative Tribunal Judgments<sup>10</sup> voted by 16 (U.S.) to 9 to forward the Yakimets case to the International Court of Justice. Vladimir Yakimets was a Soviet national employed by the United Nations in New York. He was employed on a fixed-term appointment, and was expected by his government to return to service in the U.S.S.R. upon completion of his term. Yakimets, however, refused to return to the Soviet Union, renounced his Soviet citizenship, and sought to be considered for a career appointment, arguing that the staff rules entitled all fixed-term appointees to such consideration, and, by implication, to the granting of such appointment if performance was deemed acceptable. The Soviet Government contended that Yakimets' appointment was a secondment from a Soviet Government posting, and that only with Soviet approval could he continue to serve in the UN Secretariat, whether or not he remained a Soviet citizen. The Secretary General eventually denied Yakimets a career appointment, which action Yakimets challenged in the Administrative Tribunal. The Tribunal upheld the Secretary General, but the vote of the review committee will now send the case to the ICJ for final review.

The United States strongly supported Yakimets' right to consideration for a career appointment, as a necessary protection to the maintenance of an independent international civil service.

## **UN Pension System**

The United Nations Joint Staff Pension Fund (JSPF) provides pension, disability, and survivors' benefits to over 50,000 participants in the United Nations and 14 other organizations of the UN system. The Fund is managed by UN Joint Staff Pension Board (JSPB),

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<sup>10</sup>Composed of members of the General Committee of the current or most recent regular session of the General Assembly.



consisting of 24 representatives of organization secretariats, member states, and the Fund participants. The Fund has over \$3 billion dollars in assets which are invested worldwide, including well over \$1 billion in the United States.

The Board held its 32nd special session in Paris in March and its 33rd session in Vienna in August 1984 and presented its annual report to the General Assembly in October. The key issues before the JSPB concerned improving the actuarial soundness of the Pension Fund.

Proposals recommended by the Board included: (1) increasing early retirement penalties; (2) reducing the frequency of cost-of-living increases; (3) increasing the interest rate used to discount lump-sum commutations of annuities; (4) limiting the gains realizable through pensioners' elections of dollars as the currency of payment for their annuities; (5) one-time reductions in cost-of-living increases for 1985; (6) raising the mandatory age of retirement; and (7) increasing the rates of contribution of employers and staff.

The Fifth Committee considered the JSPB report at nine meetings between October 30 and December 14, 1984. After consultations with members, the Vice Chairman of the Committee introduced a draft resolution which was approved by the Committee on December 14 without a vote. This resolution was subsequently adopted, also without a vote, by the General Assembly on December 18. (Resolution 39/246.)

By adopting this resolution, the General Assembly approved increases of early retirement penalties from 2% to 3% per year below age 60; once a year rather than twice a year cost-of-living increases; use of a 6.5% interest rate (replacing a 4.5% rate) for commuting lump sum withdrawals; limiting the amount of dollar-indexed paid pensions to not more than 20% over and above the worth of the pension as indexed to local currency and price movements; and a 1.5% reduction in the January 1985 cost-of-living increase. The United States supported adoption of these measures as necessary to maintaining an actuarially sound pension fund under current contribution levels.

The General Assembly took no action on raising the mandatory retirement age. The United States supported raising the age to 62 as good use of human resources and as supportive of the actuarial position of the Fund. The General Assembly took no action on proposed further increases in contribution levels, but urged the Pension Board to seek further economies in the benefits structure of the Fund. The United States supported this approach.

A separate major item recommended jointly by the International Civil Service Commission and the JSPB concerned levels of pensionable remuneration. The JSPB recommended a restructuring of pensionable remuneration, resulting in decreases of pensionable

remuneration for officials at levels P-5 and above, and slight increases for levels P-4 and below. The United States supported the reductions of pensionable remuneration for high level officials, although favoring larger cuts. The new levels eventually adopted reduced pensionable remuneration of Under Secretaries General and Assistant Secretaries General the most, by 18% to \$115,000 and by 16% to \$103,000, respectively.

## **Employment of Americans**

The total number of professional employees serving in posts subject to geographic distribution in the United Nations and its special programs was 9,312 at the end of 1984. At the end of 1983, the number had been 8,365. The number of U.S. nationals was 1,153 (12.38%) in 1984. In 1983 it had been 1,172 (14.01%).

During 1984, the number of Americans in professional posts subject to geographic distribution in the UN Secretariat decreased from 482 to 477; the percentage of Americans in these posts also decreased from 15.85% to 15.50%. The total number of women professionals in posts subject to geographic distribution in the UN Secretariat in 1984 was 693, of whom 173 (24.96%) were American.

In the specialized agencies, the percentage of Americans increased slightly in FAO, ITU, and WMO, remained the same in IMO and declined in IAEA, ICAO, ILO, UNESCO, WHO, and WIPO. For the most part, the changes were minimal, representing the gain or loss of less than one percentage point. However, the percentage of Americans in WMO did increase by 1%, from 7.22% in 1983 to 8.24% in 1984.

The number of short-term experts/consultants employed by the United Nations and the specialized agencies was 5,403 at the end of 1984. At the end of 1983, the number had been 6,661. The number of U.S. nationals was 633 (11.71%) in 1984. In 1983 it had been 796 (11.95%).

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## Appendix 1

# Address by President Reagan to the UN General Assembly's 39th Regular Session

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## Reducing World Tensions

*Statement before the 39th session of the UN General Assembly on September 24, 1984.*

First of all, I wish to congratulate President Lusaka [Paul Lusaka of Zambia] on his election as President of the General Assembly. I wish you every success, Mr. President, in carrying out the responsibilities of this high international office.

It is an honor to be here, and I thank you for your gracious invitation. I would speak in support of the two great goals that led to the formation of this organization—the cause of peace and the cause of human dignity.

The responsibility of this Assembly—the peaceful resolution of disputes between peoples and nations—can be discharged successfully only if we recognize the great common ground upon which we all stand: our fellowship as members of the human race, our oneness as inhabitants of this planet, our place as representatives of billions of our countrymen whose fondest hope remains the end to war and to the repression of the human spirit. These are the important, central realities that bind us, that permit us to dream of a future without the antagonisms of the past. And just as shadows can be seen only where there is light, so, too can we overcome what is wrong only if we remember how much is right; and we will resolve what divides us only if we remember how much more unites us; overcome what is wrong only if we remember how much is right; and we

will resolve what divides us only if we remember how much more unites us.

This chamber has heard enough about the problems and dangers ahead; today, let us dare to speak of a future that is bright and hopeful and can be ours only if we seek it. I believe that future is far nearer than most of us would dare to hope.

At the start of this decade, one scholar at the Hudson Institute noted that mankind also had undergone enormous changes for the better in the past two centuries, changes which aren't always readily noticed or written about.

"Up until 200 years ago, there were relatively few people in the world," he wrote. "All human societies were poor. Disease and early death dominated most people's lives. People were ignorant and largely at the mercy of the forces of nature."

"Now," he said, "we are somewhere near the middle of a process of economic development . . . at the end of that process, almost no one will live in a country as poor as the richest country of the past. There will be many more people living long healthy lives with immense knowledge and more to learn than anybody has time for. It will be able to cope with the forces of nature and almost indifferent to distance."

We do live today, as the scholar suggested, in the middle of one of the most important and dramatic periods in human history—one in which all of us can serve as catalysts for an era of world peace and unimagined human freedom and dignity.



And today, I would like to report to you, as distinguished and influential members of the world community, on what the United States has been attempting to do to help move the world closer to this era. On many fronts enormous progress has been made, and I think our efforts are complemented by the trend of history.

If we look closely enough, I believe we can see all the world moving toward a deeper appreciation of the value of human freedom in both its political and economic manifestations. This is partially motivated by a worldwide desire for economic growth and higher standards of living. And there's an increasing realization that economic freedom is a prelude to economic progress and growth—and is intricately and inseparably linked to political freedom.

Everywhere, people and governments are beginning to recognize that the secret of a progressive new world is to take advantage of the creativity of the human spirit; to encourage innovation and individual enterprise; to reward hard work; and to reduce barriers to the free flow of trade and information.

Our opposition to economic restrictions and trade barriers is consistent with our view of economic freedom and human progress. We believe such barriers pose a particularly dangerous threat to the developing nations and their chance to share in world prosperity through expanded export markets. Tomorrow, at the International Monetary Fund, I will address this question more fully, including America's desire for more open trading markets throughout the world.

This desire to cut down trade barriers and our open advocacy of freedom as the engine of human progress are two of the most important ways the United States and the American people hope to assist in bringing about a world where prosperity is commonplace, conflict an aberration, and human dignity and freedom a way of life.

Let me place these steps more in context by briefly outlining the major goals of American foreign policy and then

exploring with you the practical ways we're attempting to further freedom and prevent war. By that I mean, first, how we have moved to strengthen ties with old allies and new friends; second, what we are doing to help avoid the regional conflicts that could contain the seeds of world conflagration; and third, the status of our efforts with the Soviet Union to reduce the levels of arms.

## U.S. Foreign Policy Objectives

Let me begin with a word about the objectives of American foreign policy, which have been consistent since the postwar era and which fueled the formation of the United Nations and were incorporated into the UN Charter itself.

The UN Charter states two overriding goals: "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind," and "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small."

The founders of the United Nations understood full well the relationship between these two goals, and I want you to know that the Government of the United States will continue to view this concern for human rights as the moral center of our foreign policy. We can never look at anyone's freedom as a bargaining chip in world politics. Our hope is for a time when all the people of the world can enjoy the blessings of personal liberty.

But I would like also to emphasize that our concern for protecting human rights is part of our concern for protecting the peace. The answer is for all nations to fulfill the obligations they freely assumed under the Universal Declaration of Human Rights. It states: "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections." The declaration also includes these rights: "to form and to join trade unions"; "to own property alone as well as

in association with others"; "to leave any country, including his own, and to return to his country"; and to enjoy "freedom of opinion and expression." Perhaps the most graphic example of the relationship between human rights and peace is the right of peace groups to exist and to promote their views. In fact, the treatment of peace groups may be a litmus test of government's true desire for peace.

## Strengthening Alliances and Partnerships

In addition to emphasizing this tie between the advocacy of human rights and the prevention of war, the United States has taken important steps, as I mentioned earlier, to prevent world conflict. The starting point and cornerstone of our foreign policy is our alliance and partnership with our fellow democracies. For 35 years, the North Atlantic alliance has guaranteed the peace in Europe. In both Europe and Asia, our alliances have been the vehicle for a great reconciliation among nations that had fought bitter wars in the decades and centuries past. And here in the Western Hemisphere, north and south are being lifted on the tide of freedom and are joined in a common effort to foster peaceful economic development.

We're proud of our association with all those countries that share our commitment to freedom, human rights, the rule of law—and international peace. Indeed, the bulwark of security that the democratic alliance provides is essential—and remains essential—to the maintenance of world peace. Every alliance involves burdens and obligations, but these are far less than the risks and sacrifices that would result if the peace-loving nations were divided and neglectful of their common security. The people of the United States will remain faithful to their commitments.

But the United States is also faithful to its alliances and friendships with scores of nations in the developed and developing worlds with differing political systems, cultures, and traditions. The development of ties between the United

States and China—a significant global event of the last dozen years—shows our willingness to improve relations with countries ideologically very different from ours.

We're ready to be the friend of any country that is a friend to us and a friend to peace. And we respect genuine non-alignment. Our own nation was born in revolution; we helped promote the process of decolonization that brought about the independence of so many members of this body, and we're proud of that history.

We're proud, too, of our role in the formation of the United Nations and our support of this body over the years. And let me again emphasize our unwavering commitment to a central principle of the UN system, the principle of universality, both here and in the UN technical agencies around the world. If universality is ignored, if nations are expelled illegally, then the United Nations itself cannot be expected to succeed.

The United States welcomes diversity and peaceful competition; we do not fear the trends of history. We are not ideologically rigid; we do have principles and we will stand by them, but we will also seek the friendship and good will of all, both old friends and new.

We've always sought to lend a hand to help others—from our relief efforts in Europe after World War I to the Marshall Plan and massive foreign assistance programs after World War II. Since 1946, the United States has provided over \$115 billion in economic aid to developing countries and today provides about one-third of the nearly \$90 billion in financial resources, public and private, that flow to the developing world. And the United States imports about one-third of the manufactured exports of the developing world.

## Negotiations To Resolve Regional Conflicts

But any economic progress, as well as any movement in the direction of greater understanding between the nations of the world, are, of course,

endangered by the prospect of conflict at both the global and regional levels. In a few minutes, I will turn to the menace of conflict on a worldwide scale and discuss the status of negotiations between the United States and the Soviet Union. But permit me first to address the critical problem of regional conflicts—for history displays tragic evidence that it is these conflicts which can set off the sparks leading to worldwide conflagration.

In a glass display case across the hall from the Oval Office at the White House, there is a gold medal—the Nobel Peace Prize won by Theodore Roosevelt for his contribution in mediating the Russo-Japanese War in 1905. It was the first such prize won by an American, and it is part of a tradition of which the American people are very proud—a tradition that is being continued today in many regions of the globe.

We're engaged, for example, in diplomacy to resolve conflicts in southern Africa, working with the frontline states and our partners in the contact group. Mozambique and South Africa have reached a historic accord on non-aggression and cooperation; South Africa and Angola have agreed on a disengagement of forces from Angola, and the groundwork has been laid for the independence of Namibia, with virtually all aspects of Security Council Resolution 435 agreed upon.

Let me add that the United States considers it a moral imperative that South Africa's racial policies evolve peacefully but decisively toward a system compatible with basic norms of justice, liberty, and human dignity. I'm pleased that American companies in South Africa, by providing equal employment opportunities, are contributing to the economic advancement of the black population. But clearly, much more must be done.

In Central America, the United States has lent support to a diplomatic process to restore regional peace and security. We have committed substantial resources to promote economic development and social progress.

The growing success of democracy in

El Salvador is the best proof that the key to peace lies in a political solution. Free elections brought into office a government dedicated to democracy, reform, economic progress, and regional peace. Regrettably, there are forces in the region eager to thwart democratic change, but these forces are now on the defensive. The tide is turning in the direction of freedom. We call upon Nicaragua, in particular, to abandon its policies of subversion and militarism and to carry out the promises it made to the Organization of American States to establish democracy at home.

The Middle East has known more than its share of tragedy and conflict for decades, and the United States has been actively involved in peace diplomacy for just as long. We consider ourselves a full partner in the quest for peace. The record of the 11 years since the October war shows that much can be achieved through negotiations. It also shows that the road is long and hard.

Two years ago, I proposed a fresh start toward a negotiated solution to the Arab-Israeli conflict. My initiative of September 1, 1982, contains a set of positions that can serve as a basis for a just and lasting peace. That initiative remains a realistic and workable approach, and I am committed to it as firmly as on the day I announced it. And the foundation stone of this effort remains Security Council Resolution 242, which in turn was incorporated in all its parts in the Camp David accords.

The tragedy of Lebanon has not ended. Only last week, a despicable act of barbarism by some who are unfit to associate with humankind reminded us once again that Lebanon continues to suffer. In 1983, we helped Lebanon and Israel reach an agreement that, if implemented, could have led to the full withdrawal of Israeli forces in the context of the withdrawal of all foreign forces. This agreement was blocked, and the long agony of the Lebanese continues. Thousands of people are still kept from their homes by continued violence and are refugees in their own country. The once-flourishing economy of Lebanon is



near collapse. All of Lebanon's friends should work together to help end this nightmare.

In the gulf, the United States has supported a series of Security Council resolutions that call for an end to the war between Iran and Iraq that has meant so much death and destruction and put the world's economic well-being at risk. Our hope is that hostilities will soon end, leaving each side with its political and territorial integrity intact, so that both may devote their energies to addressing the needs of their people and a return to relationships with other states.

The lesson of experience is that negotiation works. The peace treaty between Israel and Egypt brought about the peaceful return of the Sinai, clearly showing that the negotiating process brings results when the parties commit themselves to it. The time is bound to come when the same wisdom and courage will be applied, with success, to reach peace between Israel and all of its Arab neighbors in a manner that assures security for all in the region, the recognition of Israel, and a solution to the Palestinian problem.

In every part of the world, the United States is similarly engaged in peace diplomacy as an active player or a strong supporter.

In Southeast Asia, we have backed the efforts of ASEAN [Association of South East Asian Nations] to mobilize international support for a peaceful resolution of the Cambodian problem, which must include the withdrawal of Vietnamese forces and the election of a representative government. ASEAN's success in promoting economic and political development has made a major contribution to the peace and stability of the region.

In Afghanistan, the dedicated efforts of the Secretary General and his representatives to find a diplomatic settlement have our strong support. I assure you that the United States will continue to do everything possible to find a negotiated outcome which provides the Afghan people with the right to determine their own destiny; allows the

Afghan refugees to return to their own country in dignity; and protects the legitimate security interests of all neighboring countries.

On the divided and tense Korean Peninsula, we have strongly backed the confidence-building measures proposed by the Republic of Korea and by the UN Command at Panmunjom. These are an important first step toward peaceful reunification in the long term.

We take heart from progress by others in lessening tensions, notably the efforts by the Federal Republic to reduce barriers between the two German states.

And the United States strongly supports the Secretary General's efforts to assist the Cypriot parties in achieving a peaceful and reunited Cyprus.

The United States has been, and always will be, a friend of peaceful solutions.

## U.S.-U.S.S.R. Relations

This is no less true with respect to my country's relations with the Soviet Union. When I appeared before you last year, I noted that we cannot count on the instinct for survival alone to protect us against war. Deterrence is necessary but not sufficient. America has repaired its strength; we have invigorated our alliances and friendships. We're ready for constructive negotiations with the Soviet Union.

We recognize that there is no sane alternative to negotiations on arms control and other issues between our two nations, which have the capacity to destroy civilization as we know it. I believe this is a view shared by virtually every country in the world, and by the Soviet Union itself.

And I want to speak to you today on what the United States and the Soviet Union can accomplish together in the coming years and the concrete steps we need to take.

You know, as I stand here and look out from this podium—there in front of me—I can see the seat of the representative from the Soviet Union. And not far from that seat, just over to the side, is

the seat of the representative from the United States.

In this historic assembly hall, it's clear there is not a great distance between us. Outside this room, while there will still be clear differences, there is every reason why we should do all that is possible to shorten that distance. And that's why we're here. Isn't that what this organization is all about?

Last January 16, I set out three objectives for U.S.-Soviet relations that can provide an agenda for our work over the months ahead. First, I said, we need to find ways to reduce—and eventually to eliminate—the threat and use of force in solving international disputes. Our concern over the potential for nuclear war cannot deflect us from the terrible human tragedies occurring every day in the regional conflicts I just discussed. Together, we have a particular responsibility to contribute to political solutions to these problems, rather than to exacerbate them through the provision of even more weapons.

I propose that our two countries agree to embark on periodic consultations at policy level about regional problems. We will be prepared, if the Soviets agree, to make senior experts available at regular intervals for in-depth exchanges of views. I have asked Secretary Shultz to explore this with Foreign Minister Gromyko. Spheres of influence are a thing of the past. Differences between American and Soviet interests are not. The objectives of this political dialogue will be to help avoid miscalculation, reduce the potential risk of U.S.-Soviet confrontation, and help the people in areas of conflict to find peaceful solutions.

The United States and the Soviet Union have achieved agreements of historic importance on some regional issues. The Austrian State Treaty and the Berlin accords are notable and lasting examples. Let us resolve to achieve similar agreements in the future.

Our second task must be to find ways to reduce the vast stockpiles of armaments in the world. I am committed to redoubling our negotiating efforts to

achieve real results: in Geneva, a complete ban on chemical weapons; in Vienna, real reductions—to lower and equal levels—in Soviet and American, Warsaw Pact and NATO, conventional forces; in Stockholm, concrete practical measures to enhance mutual confidence, to reduce the risk of war, and to reaffirm commitments concerning non-use of force; in the field of nuclear testing, improvements in verification essential to ensure compliance with the Threshold Test Ban and Peaceful Nuclear Explosions agreements; and in the field of nonproliferation, close cooperation to strengthen the international institutions and practices aimed at halting the spread of nuclear weapons, together with redoubled efforts to meet the legitimate expectations of all nations that the Soviet Union and the United States will substantially reduce their own nuclear arsenals. We and the Soviets have agreed to upgrade our "hot line" communications facility, and our discussions of nuclear nonproliferation in recent years have been useful to both sides. We think there are other possibilities for improving communications in this area that deserve serious exploration.

I believe the proposal of the Soviet Union for opening U.S.-Soviet talks in Vienna provided an important opportunity to advance these objectives. We've been prepared to discuss a wide range of issues and concerns of both sides, such as the relationship between defensive and offensive forces and what has been called the militarization of space. During the talks, we would consider what measures of restraint both sides might take while negotiations proceed. However, any agreement must logically depend upon our ability to get the competition in offensive arms under control and to achieve genuine stability at substantially lower levels of nuclear arms.

Our approach in all these areas will be designed to take into account concerns the Soviet Union has voiced. It will attempt to provide a basis for a historic breakthrough in arms control. I'm disappointed that we were not able to

open our meeting in Vienna earlier this month, on the date originally proposed by the Soviet Union. I hope we can begin these talks by the end of the year or shortly thereafter.

The third task I set in January was to establish a better working relationship between the Soviet Union and the United States, one marked by greater cooperation and understanding.

We've made some modest progress. We have reached agreements to improve our "hot line," extend our 10-year economic agreement, enhance consular cooperation, and explore coordination of search and rescue efforts at sea.

We've also offered to increase significantly the amount of U.S. grain for purchase by the Soviets and to provide the Soviets a direct fishing allocation off U.S. coasts. But there is much more we could do together. I feel particularly strongly about breaking down the barriers between the peoples of the United States and the Soviet Union and among our political, military, and other leaders. All of these steps that I have mentioned, and especially the arms control negotiations, are extremely important to a step-by-step process toward peace. But let me also say that we need to extend the arms control process, to build a bigger umbrella under which it can operate—a roadmap, if you will, showing where, during the next 20 years or so, these individual efforts can lead.

This can greatly assist step-by-step negotiations and enable us to avoid having all our hopes or expectations ride on any single set or series of negotiations. If progress is temporarily halted at one set of talks, this newly established framework for arms control could help us take up the slack at other negotiations.

## A New Beginning

Today, to the great end of lifting the dread of nuclear war from the peoples of the earth, I invite the leaders of the world to join in a new beginning. We need a fresh approach to reducing international tensions. History demonstrates beyond controversy that, just as the arms

competition has its roots in political suspicions and anxieties, so it can be channeled in more stabilizing directions and eventually be eliminated, if those political suspicions and anxieties are addressed as well.

Toward this end, I will suggest to the Soviet Union that we institutionalize regular ministerial or cabinet-level meetings between our two countries on the whole agenda of issues before us, including the problem of needless obstacles to understanding. To take but one idea for discussion: in such talks we could consider the exchange of outlines of 5-year military plans for weapons development and our schedules of intended procurement. We would also welcome the exchange of observers at military exercises and locations. And I propose that we find a way for Soviet experts to come to the U.S. nuclear test site, and for ours to go to theirs, to measure directly the yields of tests of nuclear weapons. We should work toward having such arrangements in place by next spring.

I hope that the Soviet Union will cooperate in this undertaking and reciprocate in a manner that will enable the two countries to establish the basis for verification for effective limits on underground nuclear testing.

I believe such talks could work rapidly toward developing a new climate of policy understanding, one that is essential if crises are to be avoided and real arms control is to be negotiated. Of course, summit meetings have a useful role to play, but they need to be carefully prepared, and the benefit here is that meetings at the ministerial level would provide the kind of progress that is the best preparation for higher level talks between ourselves and the Soviet leaders.

How much progress we will make, and at what pace, I cannot say. But we have a moral obligation to try and try again.

Some may dismiss such proposals and my own optimism as simplistic American idealism. And they will point to the burdens of the modern world and to history. Well, yes, if we sit down and



catalogue, year by year, generation by generation, the famines, the plagues, the wars, the invasions mankind has endured, the list will grow so long, and the assault on humanity so terrific, that it seems too much for the human spirit to bear.

But isn't this narrow and short-sighted and not at all how we think of history? Yes, the deeds of infamy or injustice are all recorded, but what shines out from the pages of history is the daring of the dreamers and the deeds of the builders and the doers.

These things make up the stories we tell and pass on to our children. They comprise the most enduring and striking fact about human history: that through the heartbreak and tragedy man has always dared to perceive the outline of human progress, the steady growth in not just the material well-being but the spiritual insight of mankind.

"There have been tyrants and murderers, and for a time they can seem invincible. But in the end, they always fall. Think on it . . . always. All through history, the way of truth and love has always won." That was the belief and the vision of Mahatma Gandhi. He described that, and it remains today a vision that is good and true.

"All is gift," is said to have been the favorite expression of another great spiritualist, a Spanish soldier who gave up the ways of war for that of love and peace. And if we're to make realities of the two great goals of the UN Charter—the dreams of peace and human dignity—we must take to heart

these words of Ignatius Loyola; we must pause long enough to contemplate the gifts received from Him who made us: the gift of life, the gift of this world, the gift of each other.

And the gift of the present. It is this present, this time, that now we must seize. I leave you with a reflection from Mahatma Gandhi, spoken with those in mind who said that the disputes and conflicts of the modern world are too great to overcome. It was spoken shortly after Gandhi's quest for [Indian] independence took him to Britain.

"I am not conscious of a single experience throughout my three months' stay in England and Europe," he said, "that made me feel that after all east is east and west is west. On the contrary, I have been convinced more than ever that human nature is much the same no matter under what clime it flourishes, and that if you approached people with trust and affection, you would have tenfold trust and thousandfold affection returned to you."

For the sake of a peaceful world, a world where human dignity and freedom are respected and enshrined, let us approach each other with tenfold trust and thousandfold affection. A new future awaits us. The time is here, the moment is now.

One of the Founding Fathers of our nation, Thomas Paine, spoke words that apply to all of us gathered here today. They apply directly to all sitting here in this room. He said: "We have it in our power to begin the world over again."

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## Appendix 2

# Principal Organs of the United Nations

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### General Assembly

The General Assembly is composed of all 158 members. They are:

Member	Date of Admission	Member	Date of Admission
Afghanistan	Nov. 19, 1946	Chad	Sept. 20, 1960
Albania	Dec. 14, 1955	Chile	Oct. 24, 1945
Algeria	Oct. 8, 1962	China <sup>1</sup>	Oct. 24, 1945
Angola	Dec. 1, 1976	Colombia	Nov. 5, 1945
Antigua and Barbuda	Nov. 11, 1981	Comoros	Nov. 12, 1975
Argentina	Oct. 24, 1945	Congo	Sept. 20, 1960
Australia	Nov. 1, 1945	Costa Rica	Nov. 2, 1945
Austria	Dec. 14, 1955	Cuba	Oct. 24, 1945
Bahamas	Sept. 18, 1973	Cyprus	Sept. 20, 1960
Bahrain	Sept. 21, 1971	Czechoslovakia	Oct. 24, 1945
Bangladesh	Sept. 17, 1974	Denmark	Oct. 24, 1945
Barbados	Dec. 9, 1966	Djibouti	Sept. 20, 1977
Belgium	Dec. 27, 1945	Dominica	Dec. 18, 1978
Belize	Sept. 25, 1981	Dominican Republic	Oct. 24, 1945
Benin	Sept. 20, 1960	Ecuador	Dec. 21, 1945
Bhutan	Sept. 21, 1971	Egypt	Oct. 24, 1945
Bolivia	Nov. 14, 1945	El Salvador	Oct. 24, 1945
Botswana	Oct. 17, 1966	Equatorial Guinea	Nov. 12, 1968
Brazil	Oct. 24, 1945	Ethiopia	Nov. 13, 1945
Brunei Darussalam	Sept. 21, 1984	Fiji	Oct. 13, 1970
Bulgaria	Dec. 14, 1955	Finland	Dec. 14, 1955
Burkina Faso	Sept. 20, 1960	France	Oct. 24, 1945
Burma	Apr. 19, 1948	Gabon	Sept. 20, 1960
Burundi	Sept. 18, 1962	Gambia	Sept. 21, 1965
Byelorussian S.S.R.	Oct. 24, 1945	German Democratic Republic	Sept. 18, 1973
Cameroon	Sept. 20, 1960		
Canada	Nov. 9, 1945		
Cape Verde	Sept. 16, 1975		
Central African Republic	Sept. 20, 1960		

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<sup>1</sup>By resolution 2758 (XXVI) of October 25, 1971, the General Assembly decided "to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations."

Member	Date of Admission	Member	Date of Admission
Germany, Federal Republic of	Sept. 18, 1973	Oman	Oct. 7, 1971
Ghana	Mar. 8, 1957	Pakistan	Sept. 30, 1947
Greece	Oct. 25, 1945	Panama	Nov. 13, 1945
Grenada	Sept. 17, 1974	Papua New Guinea	Oct. 10, 1975
Guatemala	Nov. 21, 1945	Paraguay	Oct. 24, 1945
Guinea	Dec. 12, 1958	Peru	Oct. 31, 1945
Guinea-Bissau	Sept. 17, 1974	Philippines	Oct. 24, 1945
Guyana	Sept. 20, 1966	Poland	Oct. 24, 1945
Haiti	Oct. 24, 1945	Portugal	Dec. 14, 1955
Honduras	Dec. 17, 1945	Qatar	Sept. 21, 1971
Hungary	Dec. 14, 1955	Romania	Dec. 14, 1955
Iceland	Nov. 19, 1946	Rwanda	Sept. 18, 1962
India	Oct. 30, 1945	Saint Christopher and Nevis	Sept. 23, 1983
Indonesia	Sept. 28, 1950	Saint Lucia	Sept. 18, 1979
Iran	Oct. 24, 1945	Saint Vincent and the Grenadines	Sept. 16, 1980
Iraq	Dec. 21, 1945	Samoa	Dec. 15, 1976
Ireland	Dec. 14, 1955	Sao Tome and Principe	Sept. 16, 1975
Israel	May 11, 1949	Saudi Arabia	Oct. 24, 1945
Italy	Dec. 14, 1955	Senegal	Sept. 28, 1960
Ivory Coast	Sept. 20, 1960	Seychelles	Sept. 21, 1976
Jamaica	Sept. 18, 1962	Sierra Leone	Sept. 27, 1961
Japan	Dec. 18, 1956	Singapore	Sept. 21, 1965
Jordan	Dec. 14, 1955	Solomon Islands	Sept. 19, 1978
Kampuchea	Dec. 14, 1955	Somalia	Sept. 20, 1960
Kenya	Dec. 16, 1963	South Africa	Nov. 7, 1945
Kuwait	May 14, 1963	Spain	Dec. 14, 1955
Laos	Dec. 14, 1955	Sri Lanka	Dec. 14, 1955
Lebanon	Oct. 24, 1945	Sudan	Nov. 12, 1956
Lesotho	Oct. 17, 1966	Suriname	Dec. 4, 1975
Liberia	Nov. 2, 1945	Swaziland	Sept. 24, 1968
Libya	Dec. 14, 1955	Sweden	Nov. 19, 1946
Luxembourg	Oct. 24, 1945	Syria	Oct. 24, 1945
Madagascar	Sept. 20, 1960	Tanzania	Dec. 14, 1961
Malawi	Dec. 1, 1964	Thailand	Dec. 16, 1946
Malaysia	Sept. 17, 1957	Togo	Sept. 20, 1960
Maldives	Sept. 21, 1965	Trinidad and Tobago	Sept. 18, 1962
Mali	Sept. 28, 1960	Tunisia	Nov. 12, 1956
Malta	Dec. 1, 1964	Turkey	Oct. 24, 1945
Mauritania	Oct. 27, 1961	Uganda	Oct. 25, 1962
Mauritius	Apr. 24, 1968	Ukrainian S.S.R.	Oct. 24, 1945
Mexico	Nov. 7, 1945	U.S.S.R.	Oct. 24, 1945
Mongolia	Oct. 27, 1961	United Arab Emirates	Dec. 9, 1971
Morocco	Nov. 12, 1956	United Kingdom	Oct. 24, 1945
Mozambique	Sept. 16, 1975	United States	Oct. 24, 1945
Nepal	Dec. 14, 1955	Uruguay	Dec. 18, 1945
Netherlands	Dec. 10, 1945	Vanuatu	Sept. 15, 1981
New Zealand	Oct. 24, 1945	Venezuela	Nov. 15, 1945
Nicaragua	Oct. 24, 1945	Vietnam	Sept. 20, 1977
Niger	Sept. 20, 1960		
Nigeria	Oct. 7, 1960		
Norway	Nov. 27, 1945		



Member	Date of Admission	Member	Date of Admission
Yemen (Aden)	Dec. 14, 1967	Zaire	Sept. 20, 1960
Yemen (Sanaa)	Sept. 30, 1947	Zambia	Dec. 1, 1964
Yugoslavia	Oct. 24, 1945	Zimbabwe	Aug. 25, 1980

The 38th regular session of the General Assembly, which had been suspended on December 20, 1983, was resumed September 17, 1984, in order to formally close the session. It was decided at this meeting to include in the draft agenda of the 39th session those agenda items which had not been considered at the 38th General Assembly. Those items were: (1) launching of global negotiations on international economic cooperation for development; (2) observance of the quincentenary of the discovery of America; (3) the question of Cyprus; (4) implementation of the resolutions of the United Nations; and (5) consequences of the prolongation of the armed conflict between Iran and Iraq.

The 39th regular session of the General Assembly convened September 18 and was suspended December 18. At the time of suspension, the President announced that the session would be reconvened for the purpose of considering various items remaining on the agenda. The session was resumed April 9 to 12, 1985, for the purpose of adopting four resolutions. The first endorsed the resolution of the UN Conference on Conditions for Registration of Ships of February 15, 1985, and requested the Secretary General to make arrangements for holding the resumed session of the Conference for 2 weeks in July 1985. (Resolution 39/213 B.) The second related to Consumer Protection and had as its annex the guidelines for that protection. (Resolution 39/248.) The third and fourth resolutions concerned the Scale of Assessments and the Statute of the International Research and Training Institute for the Advancement of Women. (Resolutions 39/247 B and 39/249.)

The session also elected a member of the Joint Inspection Unit—Kahono Martohadinegoro of Indonesia.

The session decided to keep open the item, "launching of global negotiations on international economic cooperation for development," and to reconvene on short notice to consider any decision or agreements that might emerge from consultations. It also requested the Commission on Women, acting as the Preparatory Body for the Conference on Women, to resume its third session for 7 days in April 1985. The session, finally, took note of the liquidation of the UN Emergency Trust Fund, of the statement of the Under Secretary General for Administration and Management concerning program planning, and of the amendments to the Financial Rules.

The Assembly elected Paul J.F. Lusaka (Zambia) as President and the Chairmen of the Delegations of Bahrain, Bangladesh, Bolivia, Bulgaria, Chad, China, Cuba, Cyprus, Djibouti, France, Ghana, Guatemala, Iceland, Italy, Malaysia, Morocco, Togo, U.S.S.R., United Kingdom, United States, and Yemen as the 21 Vice Presidents.

The Chairmen of the seven main committees, on which each member may be represented, were:

First Committee (Political and Security)—Celso Antonio de Souza e Silva (Brazil)

Special Political Committee—Alpha Ibrahima Diallo (Guinea)

Second Committee (Economic and Financial)—Bryce Harland (New Zealand)

Third Committee (Social, Humanitarian, and Cultural)—Ali Abdi Madar (Somalia)

Fourth Committee (Decolonization)—Renagi Renagi Lohia (Papua New Guinea)

Fifth Committee (Administrative and Budgetary)—Ernest Besley Maycock (Barbados)

Sixth Committee (Legal)—Gunter Goerner (German Democratic Republic)

The General Committee (steering committee) is composed of the President, the 21 Vice Presidents, and Chairmen of the seven committees.

## SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending December 31 of the year given in the heading:

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1984: Malta, Netherlands, Nicaragua, Pakistan, Zimbabwe.

1985: Burkina Faso, Egypt, India, Peru, Ukrainian S.S.R.

On October 22, 1984, the Assembly elected Australia, Denmark, Thailand, and Trinidad and Tobago as members of the Security Council and on December 18 elected Madagascar, all for terms beginning January 1, 1985.

## TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 51st session May 14-30, a resumed session June 13-14, and a final resumed session on July 18, 1984, all in New York.

## ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending December 31 of the year given in the heading:

1984: Austria, Benin, Brazil, Colombia, France, Federal Republic of Germany, Greece, Japan, Liberia, Mali, Pakistan, Portugal, Qatar, Romania, Saint Lucia, Swaziland, Tunisia, Venezuela.

1985: Algeria, Botswana, Bulgaria, Congo, Djibouti, Ecuador, Mexico, Netherlands, New Zealand, Saudi Arabia, Sierra Leone, Suriname, Thailand, United States.

1986: Argentina, Canada, China, Costa Rica, Finland, Guyana, Indonesia, Papua New Guinea, Poland, Rwanda, Somalia, Sri Lanka, Sweden, Uganda, U.S.S.R., United Kingdom, Yugoslavia, and Zaire.

On October 22, 1984, the Assembly reelected Brazil, Colombia, France, the Federal Republic of Germany, Japan, Romania, and Venezuela and elected Bangladesh, Guinea, Haiti, Iceland, India, Morocco, Nigeria, Senegal, Spain, Turkey, and Zimbabwe.

ECOSOC held its organizational session for 1984 (February 7-March 16) and its first regular session (May 1-25) in New York. The second regular session of 1984 was held in Geneva (July 4-27).

## INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and Security Council for 9-year terms ending February 5 of the year given in parenthesis. The Judges, listed in their order of precedence, are:

Taslim Olawale Elias of Nigeria (1994), President  
Jose Sette-Camara of Brazil (1988), Vice President  
Manfred Lachs of Poland (1994)  
Platon Dmitrievich Morozov of the Soviet Union (1988)  
Nagendra Singh of India (1991)  
Jose Maria Ruda of Argentina (1991)  
Shigeru Oda of Japan (1994)  
Roberto Ago of Italy (1988)  
Stephen Schwebel of the United States (1988)  
Robert Y. Jennings of the United Kingdom (1991)  
Guy Ladreit de Lacharriere of France (1991)  
Keba Mbaye of Senegal (1991)



Mohammed Bedjaoui of Algeria (1988)

Jens Evensen of Norway (1994)

Ni Zhengyu of China (1994)

## SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On December 15, 1981, the 36th General Assembly appointed Javier Perez de Cuellar (Peru) Secretary General for a 5-year term beginning on January 1, 1982.

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## Appendix 3

### United States Missions

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#### U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, and commissions at the Headquarters; with the 157 other permanent missions accredited to the United Nations; and with various nonmember observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of Ambassador, is the U.S. Representative to the United Nations; he or she also represents the United States in the Security Council. He or she is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1984 about 142 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objectives in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"—in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal, *inter alia*, with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

#### U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four specialized agencies which have their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CCD, and the Intergovernmental Committee for Migration. The mission also maintains

liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of nongovernmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1984 about 125 Americans, including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff, and 50 local employees were hired full time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these.

### **OTHER U.S. MISSIONS**

The United States also maintains a mission at the Headquarters of the United Nations and IAEA in Vienna, an observer mission to UNESCO in Paris, a mission to the UN Agencies for Food and Agriculture in Rome, a mission to ICAO in Montreal, and a liaison office with UNEP in Nairobi.



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## Appendix 4

### United States Representatives

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Permanent Representative and Chief of Mission to the United Nations: Jeane J. Kirkpatrick

Deputy Permanent Representative to the United Nations: Jose S. Sorzano

Deputy Permanent Representative to the Security Council: William C. Sherman (through Jan. 19, 1984); Richard Schifter (from July 2, 1984)

Representative on the Economic and Social Council: Alan L. Keyes

Alternate Permanent Representative for Special Political Affairs: Charles M. Lichenstein (through March 3); Harvey Feldman (from Oct. 15)

U.S. Representative to the European Office of the United Nations and Other International Organizations: Geoffrey Swaebe (through Dec. 1, 1983); Gerald P. Carmen (from Apr. 12, 1984)

U.S. Mission to International Organizations in Vienna: Richard S. Williamson

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## Appendix 5

### Scale of Assessments for the Apportionment of the Expenses of the United Nations

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The scale of assessments for the contributions of member states to the UN budget for the financial years 1983, 1984, and 1985 will be as follows:

Member State	Percent	Member State	Percent
Afghanistan	0.01	Cuba	0.09
Albania	0.01	Cyprus	0.01
Algeria	0.13	Czechoslovakia	0.76
Angola	0.01	Denmark	0.75
Antigua and Barbuda	0.01	Djibouti	0.01
Argentina	0.07	Dominica	0.01
Australia	1.57	Dominican Republic	0.03
Austria	0.75	Ecuador	0.02
Bahamas	0.01	Egypt	0.07
Bahrain	0.01	El Salvador	0.01
Bangladesh	0.03	Equatorial Guinea	0.01
Barbados	0.01	Ethiopia	0.01
Belgium	1.28	Fiji	0.01
Belize	0.01	Finland	0.48
Benin	0.01	France	6.51
Bhutan	0.01	Gabon	0.02
Bolivia	0.01	Gambia	0.01
Botswana	0.01	German Democratic Republic	1.39
Brazil	1.39	Germany, Federal Republic of	8.54
Brunei Darussalam	0.03	Ghana	0.02
Bulgaria	0.18	Greece	0.40
Burkina Faso	0.01	Grenada	0.01
Burma	0.01	Guatemala	0.02
Burundi	0.01	Guinea	0.01
Byelorussian S.S.R.	0.36	Guinea-Bissau	0.01
Cameroon	0.01	Guyana	0.01
Canada	3.08	Haiti	0.01
Cape Verde	0.01	Honduras	0.01
Central African Republic	0.01	Hungary	0.23
Chad	0.01	Iceland	0.03
Chile	0.07	India	0.36
China	0.88	Indonesia	0.13
Colombia	0.11	Iran	0.58
Comoros	0.01	Iraq	0.12
Congo	0.01		
Costa Rica	0.02		

Member State	Percent	Member State	Percent
Ireland	0.18	Rwanda	0.01
Israel	0.23	Saint Christopher and Nevis	0.01
Italy	3.74	Saint Lucia	0.01
Ivory Coast	0.03	Saint Vincent and the Grenadines	0.01
Jamaica	0.02	Samoa	0.01
Japan	10.32	Sao Tome and Principe	0.01
Jordan	0.01	Saudi Arabia	0.86
Kampuchea	0.01	Senegal	0.01
Kenya	0.01	Seychelles	0.01
Kuwait	0.25	Sierra Leone	0.01
Laos	0.01	Singapore	0.09
Lebanon	0.02	Solomon Islands	0.01
Lesotho	0.01	Somalia	0.01
Liberia	0.01	South Africa	0.41
Libya	0.26	Spain	1.93
Luxembourg	0.06	Sri Lanka	0.01
Madagascar	0.01	Sudan	0.01
Malawi	0.01	Suriname	0.01
Malaysia	0.09	Swaziland	0.01
Maldives	0.01	Sweden	1.32
Mali	0.01	Syria	0.03
Malta	0.01	Tanzania	0.01
Mauritania	0.01	Thailand	0.08
Mauritius	0.01	Togo	0.01
Mexico	0.88	Trinidad and Tobago	0.03
Mongolia	0.01	Tunisia	0.03
Morocco	0.05	Turkey	0.32
Mozambique	0.01	Uganda	0.01
Nepal	0.01	Ukrainian S.S.R.	1.32
Netherlands	1.78	U.S.S.R.	10.54
New Zealand	0.26	United Arab Emirates	0.16
Nicaragua	0.01	United Kingdom	4.67
Niger	0.01	United States	25.00
Nigeria	0.19	Uruguay	0.04
Norway	0.51	Vanuatu	0.01
Oman	0.01	Venezuela	0.55
Pakistan	0.06	Vietnam	0.02
Panama	0.02	Yemen (Aden)	0.01
Papua New Guinea	0.01	Yemen (Sanaa)	0.01
Paraguay	0.01	Yugoslavia	0.46
Peru	0.07	Zaire	0.01
Philippines	0.09	Zambia	0.01
Poland	0.72	Zimbabwe	0.02
Portugal	0.18		
Qatar	0.03		
Romania	0.19		
		<b>Grand Total</b>	<b>100.00</b>



In accordance with rule 160 of the Rules of Procedure of the General Assembly, states not members of the United Nations but which participate in certain of its activities shall be called upon to contribute toward the expenses of such activities on the basis of the following rates:

Non-member State	Percent
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.18
San Marino	0.01
Switzerland	1.10
Tonga	0.01

The following countries being called upon to contribute to the:

International Court of Justice:

Liechtenstein  
San Marino  
Switzerland

International Drug Control

Holy See  
Liechtenstein  
Monaco  
Republic of Korea  
Switzerland  
Tonga

Economic and Social Commission for Asia and the Pacific

Republic of Korea

Economic Commission for Europe

Switzerland

United Nations Conference on Trade and Development

Democratic People's Republic of Korea  
Holy See  
Liechtenstein  
Monaco  
Republic of Korea  
San Marino  
Switzerland  
Tonga

United Nations Industrial Development Organization

Holy See  
Liechtenstein  
Monaco  
Republic of Korea  
Switzerland

United Nations Environment Program

Switzerland





















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